

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4134 OF 2016

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ORDER:

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This petition is filed by the petitioners-A1 and A2 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.40 of 2016 on the file of the II Additional Munsif Magistrate, Ongole, Prakasam District.

Heard and perused the material available on record.

It is alleged that the 2nd respondent purchased a vacant site admeasuring 218.4 sq. meters in Bollinenivaripalem, Ongole from his mother and constructed a house in it. L.W.4, who is the mother of A2, entered into the site of the 2nd respondent towards west and in the same manner, the 2nd respondent entered into the site of L.W.4 in eastern end. Between these houses, a common joint wall is situated. The 2nd respondent asked L.W.4 that he will raise a wall for some height on his half share in the joint wall for privacy, for which, L.W.4 agreed. On 5.10.2015, while L.W.5 and some other coolies were constructing a wall, A1 and A2 picked up a quarrel with the wife and sister of the 2nd respondent, trespassed into their house, abused them in filthy language, threatened them and demolished the wall under construction.

Considering the facts and circumstances of the case and the averments in the charge sheet, this Court is not inclined to grant the relief sought by the petitioners.

At this stage, the learned Counsel for the petitioners sought for dispensing with the presence of the petitioners before the trial Court.

In view of the above submission, the presence of the petitioners before the trial Court is dispensed with except on the dates when their presence is specifically required by the trial Court. The petitioners are directed to be represented by a Counsel before the trial Court on all hearing dates.

Accordingly, the Criminal Petition is disposed of. Consequently,
miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 28.3.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 28.3.2016

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