

THE HON'BLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4685 of 2016

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioner-accused No.4 seeking to quash the proceeding against him in CC No.403 of 2014 on the file of the VI Additional Munsif Magistrate, Guntur, for the offences punishable under Sections 420 IPC and 7 of the Essential Commodities Act.

Heard and perused the material available on record.

The petitioner is alleged to have involved in transportation of PDS rice. The truth or otherwise of the said allegations can be decided only after due trial. Hence, this Court is not inclined to quash the proceedings against the petitioner.

At this stage, learned counsel for the petitioner submitted that NBW is pending against the petitioner and the same may be recalled and also confined his arguments only to the extent of dispensing with the presence of the petitioner before the trial Court.

Having heard the learned counsel for the petitioner and the learned Additional Public Prosecutor and having perused the material available on record, this Court is of the view that this petition can be disposed of with the following directions:

The petitioner-accused No.4 is directed to appear before the Court concerned and file an application to recall the NBW pending against him and on such petition being filed, the Court concerned is directed to recall the warrant on the same day on his executing a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for a like sum. The presence of the petitioner before the

trial Court is dispensed with except on the dates of framing of charges, if any, examination under Section 313 Cr.P.C., and also on the date of pronouncement of judgment, and the petitioner shall be properly represented through his counsel before the trial Court on all hearing dates.

Accordingly, the Criminal Petition is disposed of. Miscellaneous Petitions pending if any, shall stand closed.

RAJA ELANGO, J

April 04, 2016.

KTL