

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5533 OF 2016

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ORDER:
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This petition is filed by the petitioners-A2 and A3 under Section 482 Cr.P.C. seeking to quash the proceedings against them in C.C.No.320 of 2015 on the file of the Judicial First Class Magistrate, Atmakur, Kurnool District.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Sections 406 and 420 r/w 34 IPC. It is alleged that the 2nd respondent worked as Traffic guide in APSRTC Atmakur Depot upto September, 2014. He was entitled for salary of Rs.5,821/- per month during that period. But the contractor paid Rs.3,500/- only. The petitioners, who are Depot Manager and Assistant Manager, approved the muster prepared by the contractor and the contractor with the connivance of the petitioners misappropriated an amount of Rs.2,321/-.

Considering the facts and circumstances of the case and the allegations made against the petitioners, this Court is not inclined to grant the relief sought by the petitioners.

At this stage, the learned Counsel for the petitioners prayed 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 date of framing of charges, if any; on the date of examination under Section 313 Cr.P.C. and on the date of pronouncement of judgment. The petitioners are directed to be represented through 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 : 19.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 19.4.2016

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