

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.10404 of 2010

ORDER:

This criminal petition is filed under Section 482 of Cr.PC to quash the proceedings against the petitioner/A2 in C.C. No.15 of 2009 on the file of the court of Additional Judicial First Class Magistrate, Chodavaram, Visakhapatnam District.

2. The learned counsel for the petitioner seeks permission of this court to permit the petitioner to withdraw the criminal petition with liberty to the petitioner to urge the points raised herein before the trial court. He further submitted that the petitioner/A2 is facing much difficulty to attend the trial court on each and every date of adjournment and hence his presence before the trial court may be dispensed with. There is no dispute with regard to identity of petitioner/A2. Even if the presence of the petitioner before the trial court is dispensed with, no prejudice will be caused to the second respondent. Hence, the presence of petitioner/A2 in C.C. No.15 of 2009 before the trial court on each and every date of adjournment is dispensed with. However, he shall appear before the trial court as and when his presence is so required.

3. With the above direction, the criminal petition is dismissed as withdrawn granting liberty as prayed for. Miscellaneous petitions, if any pending in this criminal petition shall stand closed.

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T.SUNIL CHOWDARY, J

Date: 26.02.2016

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HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

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