

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.11306 of 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused No.6 seeking to quash the C.C.No.284 of 2015 on the file of the Principal Junior Civil Judge-cum-Judicial Magistrate of First Class at Bhimavaram, West Godavari, for the offence under Section 324 read with Section 34 I.P.C.

Heard the learned counsel for the petitioner/accused No.6 and the learned Public Prosecutor and perused the material available on record.

On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioner can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

In any event, considering the nature of allegations against the petitioner - accused No.6, presence of the petitioner - accused No.6 on each and every hearing before the trial Court is dispensed with, but he shall appear before the trial Court when the trial Court insists for his appearance for any specific purpose. It is needless to say that the petitioner – accused No.6 is at liberty to avail any other remedy available to him,

including the petition for discharge, if it is maintainable.

Accordingly, the Criminal Petition is disposed of.
Miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

03.08.2016

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