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THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.843 of 2016

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners/A.1 to A.3 in C.C.No.520 of 2015 on the file of the Court of III Additional Chief Metropolitan Magistrate, Gajuwaka, Visakhapatnam District.

The learned counsel for the petitioners seeks permission of this Court to permit the petitioners to withdraw the criminal petition with liberty to avail the remedies available to them under law including filing of a petition for discharge, if charges are already not framed. He further submitted that petitioner Nos.2 and 3 are facing much difficulty to attend the trial Court on each and every date of adjournment. Hence, their presence may be dispensed with.

Permission is granted.

There is no dispute with regard to the identity of petitioner Nos.2 and 3. Even if their presence is dispensed with, no prejudice will be caused to the second respondent.

Hence, the Criminal Petition is dismissed as withdrawn granting liberty as prayed for. The presence of petitioner Nos.2 and 3, who are accused Nos.2 and 3 in C.C.No.520 of 2015, before the trial Court is hereby dispensed with on each and every date of adjournment. However, they shall appear before the trial Court as and when their presence is so required.

Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

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T.SUNIL CHOWDARY, J

Date: 27.01.2016

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