

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.43560 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to call for the records relating to C.C.No.257 of 2016 on the file of the Court of the I Additional Chief Metropolitan Magistrate, Vijayawada, Krishna District, Andhra Pradesh and quash the same by issuing a writ of *certiorari* or any other appropriate writ, order or direction, as the same is illegal and contrary to law.

Heard Sri K.Chidambaram, learned counsel for petitioners and Sri R.Sreedhar, learned standing counsel for the respondent No.1 and Sri B.Narasimha Sarma, learned standing counsel for respondent Nos.2 to 4.

Considering the facts and circumstances of the case, this Court is not inclined to interfere with the proceedings before the Court concerned.

However, the learned counsel for petitioners, with a prayer to dispense with presence of petitioners before the trial Court, submitted the following facts for consideration :

The petitioners are in judicial custody and they are being produced before the Court by issuance of P.T.Warrant. Whenever they are produced before the Court concerned to face the trial, they are apprehending danger in the hands of the depositors. Hence, the learned counsel for petitioners prayed to dispense with presence of petitioners before the trial court and

informed that petitioners would be represented through counsel before the Court and cooperate with the trial Court for further proceedings.

Considering the said facts and circumstances, the Writ Petition is disposed of with the following direction :

The petitioners' presence before the trial court is dispensed with and petitioners are directed to represent the case by engaging counsel in all hearings and cooperate with the trial court for early disposal of the case. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, in the writ petition shall stand closed.

15th December, 2016
skmr

JUSTICE RAJA ELANGO

