

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5057 OF 2016

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ORDER:

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The petitioners-A2 and A3 preferred the present Criminal Petition by invoking the provision under Section 482 of the Code of Criminal Procedure (in short 'Cr.P.C.') seeking to quash the order, dated 05.11.2015, in CrI.R.P. No.16 of 2014 passed by the XI Additional District & Sessions Judge, Krishna at Gudivada, whereby the learned District and Sessions Judge dismissed the revision petition by confirming the orders passed by the Judicial Magistrate of First Class cum Junior Civil Judge, Gudivada, in CrI.M.P. No.269 of 2013 in CC No.5 of 2013, vide order, dated 25.02.2014.

Heard and perused the material available on record.

The offences alleged against the petitioners are punishable under Sections 406, 420 and 498-A IPC. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the Police filed charge sheet against the petitioners and other accused. A reading of charge sheet also reveals some allegations against the petitioners, truth of which can be decided only after due trial. Hence, this Court is not inclined to interfere with the orders passed by the Courts below.

In any event, considering the nature of allegations wherein the question of identity of the accused does not arise, presence of the petitioners before the trial Court is dispensed with except on the dates of framing of charges, if any, examination under Section 313 Cr.P.C., and also on the date of pronouncement of judgment. The petitioners shall be properly represented through their counsel before the trial Court.

Accordingly, the Criminal Petition is disposed of. Consequently, the Miscellaneous Petitions pending, if any, shall stand closed.

RAJA ELANGO, J

April 12, 2016.
KTL