

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.129 OF 2012

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners/A-1 to A-3 seeking to quash the proceedings in C.C.No.77 of 2011 on the file of the XII Additional Chief Metropolitan Magistrate, Hyderabad.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioners are under Sections 420, 468, 471 and 120(B) I.P.C.
4. Learned counsel for the petitioners mainly contended that though the case was registered in the year 2004, the charge sheet was filed in the year 2011 and there is an inordinate delay in filing the charge sheet and the trial Court took the cognizance of the above case and secondly, no sanction was obtained to prosecute the case.
5. As far as the first point is concerned, there is no bar to take cognizance since the offences are covered under Section 468 I.P.C. As far as the second point is concerned, this is an offence wherein sanction to prosecute the accused is not necessary. Hence, this Court is not inclined to accept the contentions of the learned counsel for the petitioners.
6. At this stage, learned counsel for the petitioners prayed this Court to dispense with the presence of the petitioners before the trial Court.
7. Considering the facts and circumstances of the case and in view of the submission of the learned counsel, the presence of the

petitioners before the trial Court is dispensed with except on the dates on which the learned Magistrate insists for their appearance. The petitioners shall be properly represented through their counsel before the trial Court.

8. Accordingly, the Criminal Petition is disposed of.

9. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

27.7.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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