

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.13292 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners/accused Nos.1 & 2 seeking to quash the proceedings in S.C. No.67 of 2016 on the file of the Court of XI Additional District Judge-cum-Special Judge for trial of S.C. and S.T. (PoA) Cases, Visakhapatnam, for the offences under Sections 506 and 509 I.P.C. and Section 3(1)(x) of S.Cs. & S.Ts. (PoA) Act, 1989.

Heard the learned counsel for the petitioners/accused Nos.1 & 2 and the learned Public Prosecutor and perused the material available on record.

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

In any event, considering the nature of allegations against the petitioner No.1 – accused No.1, presence of the petitioner No.1 – accused No.1 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.

However, the Criminal Petition is dismissed as far as petitioner No.2 - accused No.2 is concerned. The petitioner No.2 – accused No.2 shall appear before the trial court during the course of trial.

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

JUSTICE M.S.K.JAISWAL

19.09.2016

skmr

