

HON'BLE Smt. JUSTICE ANIS
Criminal Petition No.14172 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by petitioners seeking to quash the proceedings against petitioners in M.C.No.2 of 2016 on the file of Sub-Divisional Magistrate & Sub-Collector, Vijayawada, Krishna District.

Heard the learned counsel for the petitioners and the learned Public Prosecutor and perused the material available on record.

The learned counsel for petitioners mainly contends that petitioners are innocent persons and not committed any breach of Act of peace and further they have not received any proceedings as contemplated under Section 107 Cr.P.C. Further, they are residing 85 K.Ms. away from Vijayawada and they are poor farmers and therefore, they are not in a position to attend every adjournment before the Sub-Divisional Magistrate & Sub-Collector, Vijayawada, Krishna District.

On the other hand the learned Public Prosecutor contends that all the petitioners need not attend the Court, but they can file an appropriate application to represent one petitioner on behalf of other petitioners and obtain orders of Sub-Divisional Magistrate & Sub-Collector, Vijayawada, Krishna District.

This case is registered basing on the orders passed by the Sub-Collector, Vijayawada. The petitioners approached this Court challenging

the proceedings in M.C.No.2 of 2016 and also prayed this Court to allow the 03rd petitioner to represent on behalf of other petitioners in M.C.No.2 of 2016 before the Sub-Divisional Magistrate & Sub-Collector, Vijayawada, Krishna District.

After hearing both sides and considering the request of petitioners, 03rd petitioner is permitted to attend on behalf of other petitioners in M.C.No.2 of 2016 before the Sub-Divisional Magistrate & Sub-Collector, Vijayawada, Krishna District, by filing formal application.

With this observation, the Criminal Petition is disposed of.

Miscellaneous petitions pending in this petition, if any, shall stand closed.

29.09.2016

skmr



ANIS, J.