

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.6433 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioners/A-1 to A-4 seeking to quash the proceedings in C.C.No.33 of 2015 on the file of the II Additional Junior Civil Judge – cum – Additional Metropolitan Magistrate, Anakapalli, Visakhapatnam District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioners are punishable under Sections 341 and 353 read with 34 I.P.C.
4. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the police filed charge sheet against the petitioners. A reading of the charge sheet also reveals some allegations against the petitioners, truth of which can be ascertained only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.
5. After arguing for sometime, learned counsel for the petitioners while not pressing for the main prayer, confined his arguments only to the extent of dispensing with the presence of the petitioners before the trial Court.
6. Considering the facts and circumstances of the case and in view of the submission of the learned counsel, the presence of petitioners/A-1 to A-4 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.

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

JUSTICE RAJA ELANGO

27.4.2016

AMD

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Date:27.4.2016

AMD