

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3397 OF 2016

-
ORDER:

-
This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in C.C.No.340 of 2014 on the file of the II Additional Junior Civil Judge, Tirupati, arising out of offences under Sections 448, 354(A), 354(B), 355, 324, 323, 143 read with Section 149 IPC.

Heard and perused the material available on 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 facts and circumstances of the case, and also as the question of identity of the petitioners does not arise, the presence of the petitioners 2 to 7 before the trial Court is dispensed with except on the dates when the trial Court insists for their appearance. The first petitioner's presence is not dispensed with. The first petitioner is directed to represent the petitioners 2 to 7 before the Court below and he is directed to answer the charges at the time of examination under Section 313 Cr.P.C. The learned counsel on record is permitted to file statements before the Court below and all the accused are directed to be present at the time of pronouncement of Judgement. All the petitioners are directed to be represented by their counsel before the Court below on all hearing dates.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

15.03.2016

pln