

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.10254 of 2016

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ORDER:

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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 C.C.No.179 of 2016 on the file of the Additional Junior Civil Judge, Ponnur-cum-Judicial First Class Magistrate, Ponnur, for the offences under Sections 448, 506 read with Section 34 I.P.C.

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 charge sheet, 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.2 - accused No.2, presence of the petitioner No.2 - accused No.2 on each and every hearing before the trial Court is dispensed with, but she shall appear before the trial Court when the trial Court insists for her appearance for any specific purpose.

Considering the nature of allegations against the petitioner No.1-accused No.1, the Criminal Petition is dismissed as far as petitioner No.1-accused No.1 is concerned. The petitioner No.1 – accused No.1 shall appear before the trial court during the course of trial.

Accordingly, the Criminal Petition is disposed of. The learned trial Court shall dispose of C.C. No.179 of 2016 as expeditiously as possible. Miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

18.07.2016

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