

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5251 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/A-3 seeking to quash the proceedings in S.C.No.39 of 2015 on the file of the Special Judge for trial of offences under SC & ST (POA) Act, Nellore.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Section 324 read with 34 I.P.C. and Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
4. Admittedly, after duly investigating into the complaint lodged by the *de facto* complainant, the police filed charge sheet against the petitioner. A reading of the charge sheet also reveals some allegations against the petitioner, truth of which can be ascertained only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.
5. After arguing for sometime, learned counsel for the petitioner while not pressing for the main prayer, confined his arguments only to the extent of dispensing with the presence of the petitioner 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 the petitioner before the trial Court is dispensed with except on the dates on which the learned Magistrate insists for his appearance. The petitioner shall be properly represented through his 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

13.4.2016

AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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Date: 13.4.2016

AMD