

THE HONOURABLE SRI JUSTICE M.S.K.JAISWAL

Criminal Petition No.8644 of 2016

-
ORDER:

-
This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners/accused seeking to quash C.C.No.626 of 2015 on the file of the IV Additional Judicial Magistrate of First Class, Kakinada, for the offences under Sections 464, 467, 468, 471, 474 and 120-B IPC.

Heard the learned counsel for the petitioners/accused 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/accused.

In any event, considering the nature of allegations wherein the question of identity of the accused does not arise, presence of the petitioners 2 to 9/accused Nos. 2 to 9 before the trial Court is dispensed with except on the dates of framing of charges, examination under Section 313 Cr.P.C. and pronouncement of the judgment.

Considering the nature of allegation against the petitioner No.1/Accused No.1, the criminal petition is dismissed as far as petitioner No.1/accused No.1 is concerned.

Accordingly, the Criminal Petition against the petitioners 2 to 9 is disposed of. Consequently, the miscellaneous petitions pending in this petition, if any, shall stand closed.

JUSTICE M.S.K.JAISWAL

21.06.2016

kvrmm