

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.10725 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in C.C.No.285 of 2016 on the file of the Special Judicial First Class Magistrate of Excise, Eluru, registered for the offences punishable under Sections 269, 271 & 273 r/w.34 IPC.

Heard the learned counsel appearing for the petitioners/A1 to A4 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made in the complaint against the petitioners. The truth or otherwise of the allegations can only be decided during course of trial. This Court is not supposed to make a roving enquiry into the allegations made in the charge sheet. I see no ground to quash the charge sheet.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the Criminal Petition is disposed of, directing the Court below to proceed with the trial, however, without insisting for the presence of the petitioners/A2 to A4 for each and every adjournment, unless it feels that their physical presence is necessary for any specific purpose. It is made clear that the petitioner/A1 shall continue to appear before the Court below throughout the trial.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 25.07.2016

Dsr