

THE HON'BLE SRI JUSTICE RAJA ELANGO

CrI.P.No.5436 of 2016

ORDER

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This petition under Section 482 Cr.P.C. is filed by the petitioner/A2 seeking to quash the proceedings in C.C.No.144 of 2015 on the file of I Additional Judicial Magistrate of First Class, Amalapuram, East Godavari District, for the offences punishable under Sections 420, 406, 409 r/w. 34 IPC, against him.

2. It is alleged in the charge sheet that A1 being the Manager-cum-Accountant of Meeseva centre at Fire Station in Amalapuram had misappropriated an amount of Rs.23,18,799/- for the financial years 2012-13 and 2013-14 which were collected in Mee-seva centre without remitting the collected amounts into the Axis Bank Account and diverted the funds for his own purpose and that the petitioner/A2, who has to re-conciliate the accounts, failed to do the same and he also colluded with A1. Based on the complaint, a case in Cr.No.91 of 2014 u/s. 420, 406 and 409 r/w.34 IPC was registered against A1 and A2.

3. Heard and perused the material on record.

4. As per the charge sheet, there are certain allegations against the petitioners. In view of the same, the matter has to be decided after full fledged trial and therefore, this Court is not inclined to interfere with the impugned proceedings. However, the presence of petitioner/A2 before the trial Court is dispensed with except on the dates whenever his presence is insisted by the trial Court and he shall be represented by his counsel. The petitioner/A2 is at liberty to file a discharge application before the trial Court in accordance with law.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

RAJA ELANGO, J

19th April, 2016
sj