

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.3562 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioner/A.2 in C.C.No.23 of 2016 on the file of the Court of the V Additional Judicial Magistrate of First Class, Nellore.

2. Heard the learned counsel for the petitioner and the learned Assistant Public Prosecutor for the State of Andhra Pradesh.

3. The only relief sought by the learned counsel for the petitioner is to dispense with the presence of the petitioner before the trial Court.

4. In view of the submission made by the learned counsel for the petitioner, this Court is not inclined to go into the merits of the main case.

5. There is no dispute with regard to the identity of the petitioner. Even if the presence of the petitioner is dispensed with, no prejudice would be caused to the first respondent.

6. Having regard to the facts and circumstances of the case, the presence of the petitioner, who is accused No.2 in C.C.No.23 of 2016 on the file of the V Additional Judicial Magistrate of First Class, Nellore, is hereby dispensed with on each and every date of adjournment. However, he shall appear before the trial Court as and when his presence is so required.

7. With the above observations, the Criminal Petition is disposed of.

8. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 01.06.2017

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