

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5970 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners/accused Nos.1 and 2 in C.C.No.655 of 2016 on the file of the Court of the Additional Junior Civil Judge-cum-Additional Judicial First Class Magistrate at Mangalagiri.

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

3. At the time of hearing, the only relief sought by the learned counsel for the petitioners is to dispense with the presence of petitioner No.2 before the trial Court. Learned counsel for the petitioners submitted that petitioner No.1/A.1 has been attending before the trial Court to ensure the progress of the trial.

4. In view of the submission made by the learned counsel for the petitioners, this Court is not inclined to go into the merits of the main case. There is no dispute with regard to the identity of petitioner No.2. Even if the presence of petitioner No.2 is dispensed with, no prejudice would be caused to the second respondent.

5. Having regard to the facts and circumstances of the case, the presence of petitioner No.2, who is accused No.2 in C.C.No.655 of 2016 on the file of the Court of the Additional Junior Civil Judge-cum-Additional Judicial First Class Magistrate at Mangalagiri, 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.

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

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

T.SUNIL CHOWDARY, J

Date: 21.07.2017
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