

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2282 of 2017

ORDER:

The present petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed requesting to quash the proceedings in C.C.No.676 of 2016 on the file of the learned Additional Judicial Magistrate of First Class, Mangalagiri, Guntur District.

The petitioner, who is arraigned as accused No.6 in the aforesaid Calender Case, along with accused Nos.1 to 5 and 7 to 12 alleged to have committed the offences punishable under Sections 420, 467, 468, 120B and 201 read with 34 of the Indian Penal Code.

Sri Akurathi Ramakrishna, learned counsel for the petitioner, would confine his argument only to the extent of dispensing with the appearance of the petitioner during the trial proceedings before the learned Magistrate. He would draw the attention of this Court to the order dated 05.01.2017 in W.P.No.881 of 2017, whereby the presence of accused Nos.1 and 8 in the very same Calendar Case was dispensed with before the trial Court, except on the dates when their appearance is specifically required by the trial Court. Learned counsel would also point out yet another similar order passed by this Court on 04.01.2017 in Criminal Petition No.17371 of 2016, wherein, while ordering notice before admission, the presence of accused Nos.2 to 5, 7 and 11 in the very same Calender Case was dispensed with till further orders.

Learned Additional Public Prosecutor for the State of Andhra Pradesh would not resist the request of learned counsel for the petitioner. Probably, learned Additional Public Prosecutor is deterred by the aforesaid two orders. According to the learned counsel for the petitioner, the petitioner is the daughter of accused No.1 and she is one of the partners along with accused No.7. Keeping in view, the petitioner is a woman, a similar order that was passed in W.P.No.881 of 2017 is passed herein exempting the appearance of the petitioner before the trial Court except on the dates when her appearance is specifically required by the trial Court and she shall also obey the orders of the trial Court whenever she is directed to appear before it.

Accordingly, the Criminal Petition is disposed of at the stage of admission itself.

Miscellaneous applications, if any, pending in the present petition stand closed.

JUSTICE A.SHANKAR NARAYANA

20.03.2017

v v