

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.5279 of 2017

ORDER:

This criminal petition is filed under Section 482 of Cr.P.C., to quash the proceedings against the petitioners-accused Nos.2 to 4 in C.C.No.228 of 2016 on the file of the Court of Judicial Magistrate of First Class, Cheepurupalli, Vizianagaram District.

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

3. At the time of hearing, the only relief sought by the learned counsel for the petitioners is to dispense with the presence of the petitioners-accused Nos.2 to 4 before the trial court on each and every date of adjournment. He further submitted that accused No.1 has been attending before the trial court. 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 petitioners. Even if the presence of the petitioners is dispensed with, no prejudice will be caused to the second respondent.

4. Having regard to the facts and circumstances of the case, the presence of the petitioners-accused Nos.2 to 4 in C.C. No.228 of 2016 on the file of the Court of Judicial Magistrate of First Class, Cheepurupalli, Vizianagaram District, on each and every date of adjournment is dispensed with. However, they shall appear before the trial court as and when their presence is so required.

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

T. SUNIL CHOWDARY, J

July 06, 2017.
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