

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.4910 OF 2017

ORDER:

1 This petition is filed under Section 482 Cr.P.C to quash the proceedings against the petitioners/accused Nos.1 to 3 in C.C.No.285 of 2016 on the file of the Court of the I Additional Judicial First Class Magistrate, Machilipatnam.

2 At the time of arguments, the only relief, which the learned counsel for the petitioners, has sought is that the presence of the petitioners/accused Nos.2 and 3 before the trial Court may be dispensed with on each and every date of adjournment. He further assured that the petitioner No.1 / accused No.1 will appear 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.

3 There is no dispute with the regard to the identity of the petitioner Nos.2 and 3, who are accused Nos.2 and 3 and even if their presence is dispensed with, no prejudice will be caused to respondent No.2 herein.

4 Having regard to the facts and circumstances of the case, the presence of the petitioner Nos.2 and 3, who are accused Nos.2 and 3 in C.C.No.285 of 2016 on the file of the Court of the I Additional Judicial First Class Magistrate, Machilipatnam is dispensed with on each and every date of adjournment. However, they shall appear before the trial Court as and when their presence is so required.

5 With the above observations, this Criminal Petition is disposed of. As a sequel, the miscellaneous petitions, pending if any in this Criminal Petition, shall stand closed.

T. SUNIL CHOWDARY, J.

Date: 28.06.2017
Kvsn

