

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5493 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C., to quash the proceedings against the petitioners-accused Nos.2 and 3 in C.C. No.911 of 2016 on the file of the Court of Additional Judicial Magistrate of First Class, Yellamanchili, Visakhapatnam District.

2. Heard the learned counsel for the petitioners and the learned Assistant 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 before the trial court on each and every date of adjournment. He submitted that accused No.1 will attend before the trial court to ensure the progress of the trial. 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 and 3 in C.C. No.911 of 2016 on the file of the Court of Additional Judicial Magistrate of First Class, Yellamanchili, Visakhapatnam 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 11, 2017.
YS

