

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5683 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioner, who is accused No.5 in C.C.No.356 of 2017 on the file of the Court of Judicial Magistrate of First Class, Dhone.

2. Heard the learned counsel for the petitioner 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 petitioner is to dispense with the presence of the petitioner before the trial Court on each and every date of adjournment. He further submitted that the other accused have 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 petitioner, this Court is not inclined to go into the merits of the main case. There is no dispute with regard to the identity of the petitioner/A5. Even if the presence of the petitioner is dispensed with, no prejudice would be caused to the first respondent – *de facto* complainant.

5. Having regard to the facts and circumstances of the case, the presence of the petitioner, who is accused No.5 in C.C.No.356 of 2017 on the file of the court of Judicial

Magistrate of First Class, Dhone, is dispensed with on each and every date of adjournment. However, he shall appear before the trial Court as and when his presence is specifically required.

6. With the above observation, the criminal petition is disposed of. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date:17.07.2017
Rns

