

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

CRIMINAL PETITION No.2752 OF 2017

ORDER:

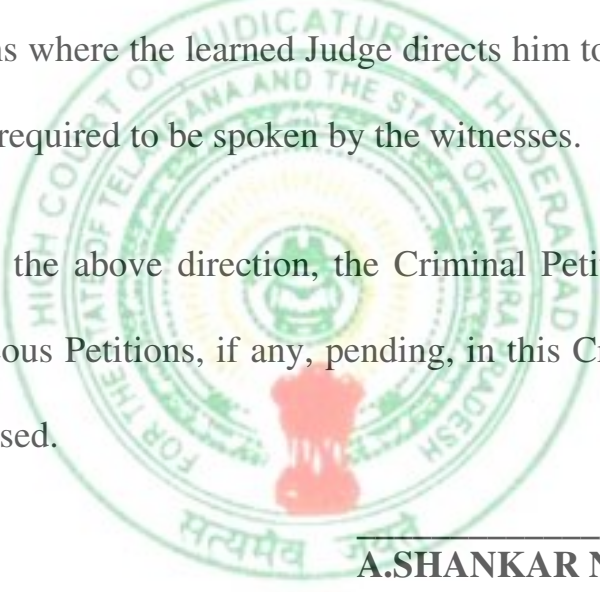
The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code'), is filed requesting to quash the proceedings in C.C.No.1 of 2017 on the file of Principal Sessions and District Judge – cum – Special Judge for Trial of Andhra Pradesh Protection of Depositors of Financial Establishments Act cases, Nellore, against the petitioner – accused No.29.

2. The petitioner, along with accused Nos.1 to 28, alleged to have committed the offences punishable under Sections 420, 406 and 120B read with 34 I.P.C. and Section 5 of Andhra Pradesh Protection of Depositors of Financial Establishments Act, 1999.

3. Learned counsel for the petitioner, having advanced arguments, however, would make a request to exempt the appearance of petitioner during trial of the aforesaid Calendar Case, as the petitioner is suffering with cardiac disease, besides being a diabetic and having other ailments, in support of which, the petitioner has filed reports in the present Criminal Petition. A perusal of one of such reports, at page No.35, would show that the petitioner is suffering with Type II Diabetes Mellitus, Rheumatic Heart Disease with mild mitral stenosis, moderate mitral regurgitation and moderate LV dysfunction, and Idiopathic left SN deafness.

4. In such an event, the request made by the learned counsel for petitioner appears to be reasonable. Therefore, acceding to the request of the learned counsel for petitioner, appearance of the petitioner viz., Chakram Ramesh, is exempted during trial of C.C.No.1 of 2017 on the file of Principal Sessions and District Judge – cum – Special Judge for Trial of Andhra Pradesh Protection of Depositors of Financial Establishments Act cases, Nellore. But, he shall appear before the Court below on the dates when he is required to be examined under Section 239 of the Code and under Section 313 of the Code, and on other occasions where the learned Judge directs him to appear, in case his identity is required to be spoken by the witnesses.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous Petitions, if any, pending, in this Criminal Petition, shall stand closed.



A.SHANKAR NARAYANA, J

April 04, 2017.
MD