

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION NO.5874 OF 2017

ORDER:

This petition is filed by the petitioners/A1 and A4 under Section 482 Cr.P.C. to quash the proceedings in C.C.No.258 of 2017 on the file of the Judl. Magistrate of I Class, Prathipadu, East Godavari District.

2. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor for the State of Andhra Pradesh.

3. At the time of hearing, the only relief sought for by the learned counsel for the petitioners is to dispense with the presence of the petitioner No.2 before the trial Court on each and every date of adjournment. He further submitted that 1st petitioner-A1 will attend before the trial Court to ensure the progress of the trial.

4. 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.

5. There is no dispute with regard to the identity of the 2nd petitioner. Even if the presence of the 2nd petitioner is dispensed with, no prejudice would be caused to the 2nd respondent. Therefore, presence of the 2nd petitioner-A4 in C.C.No.258 of 2017 on the file of the Judl. Magistrate of I Class, Prathipadu, East Godavari District, is dispensed with on each and every date of adjournment. However, he shall appear before the trial Court as and when his presence is so required.

6. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending, in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED:19-07-2017.

Hsd

