

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.5665 of 2017

ORDER:

1 This petition is filed under Section 482 Cr.P.C to quash the proceedings against the petitioners / Accused No.2 and 3 in C.C.No.396 of 2017 on the file of the Court of the Judicial Magistrate of I Class, Special Mobile Court, Nellore.

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 submitted that the accused No.1 has been attending 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.

3 There is no dispute with the regard to the identity of the petitioners, who are accused Nos.2 and 3 and even if their presence 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, who are accused Nos.2 and 3 in C.C.No.396 of 2017 on the file of the Court of the Judicial Magistrate of I Class, Special Mobile Court, Nellore 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: 11.07.2017
Kvsn

