

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.9222 of 2016

ORDER:

Heard learned counsel for the petitioners/accused of C.C.No.474 of 2014 on the file of III Metropolitan Magistrate, Visakhapatnam, and also heard learned Public Prosecutor representing the State and perused the grounds urged in the quash petition and the police final report and part II case diary and the orders pending in W.P.Nos.8142 & 22543 of 2013.

In fact from the course of hearing, it is also the submission of the learned Public Prosecutor that the trial Court already framed the charges and the case is ready for trial. Once such is the case, but for giving liberty if at all to file any application for alteration of charge in the course of trial under Section 216 Cr.P.C., there is nothing to interdict the trial proceedings.

Accordingly and in the result, the Criminal Petition is disposed of. Needless to say, if any application is filed under Rule 37 of Criminal Rules of Practice for one to represent the others, the learned Magistrate shall hear and permit with necessary conditions. All defences are left open.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 23.10.2017
ska