

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5745 of 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners/respondent Nos.1 to 3 in D.V.C.No.1 of 2017 on the file of the Court of the Judicial First Class Magistrate, Anaparthi, East Godavari District.

2. Heard the learned counsel for the petitioners 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 petitioners is to dispense with the presence of petitioner Nos.2 and 3 before the trial Court. Learned counsel for the petitioners submitted that petitioner No.1/respondent No.1 has 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 petitioners, this Court is not inclined to go into the merits of the main case. There is no dispute with regard to the identity of petitioner Nos.2 and 3, who are respondent Nos.2 and 3 in D.V.C. Even if their presence is dispensed with, no prejudice would be caused to the second respondent.

5. Having regard to the facts and circumstances of the case, the presence of petitioner Nos.2 and 3, who are respondent Nos.2 and 3 in D.V.C.No.1 of 2017 on the file of the Court of the Judicial First Class Magistrate, Anaparthi, East Godavari District, is hereby 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.

6. With the above observations, the Criminal Petition is disposed of.

7. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

T.SUNIL CHOWDARY, J

Date: 18.07.2017
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