

THE HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

CRIMINAL PETITION No.5497 of 2017

ORDER:

1 This petition is filed under Section 482 Cr.P.C to quash the proceedings against the petitioners / respondent Nos.1 to 5 in D.V.C.No.9 of 2017 on the file of the Court of the III Additional Judicial Magistrate of I Class, Ongole.

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/respondent Nos.1, 3, 4 and 5 before the trial Court may be dispensed with on each and every date of adjournment. He further submitted that the second petitioner who is the second respondent in the DVC will attend before 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 petitioner Nos.1, 3, 4 and 5, who are respondent Nos.1, 3, 4 and 5 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 petitioner Nos.1, 3, 4 and 5, who are respondent Nos.1, 3, 4 and 5 in D.V.C.No.9 of 2017 on the file of the Court of the III Additional Judicial Magistrate of I Class, Ongole 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

