

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.1152 of 2017

ORDER:

This criminal petition is filed by the petitioners seeking to dispense their personal appearance in CC.No.373 of 2016 on the file of the XXV Metropolitan Magistrate Court, Kukatpally.

2. Heard learned counsel for the petitioners and learned Public Prosecutor and with their consent, the criminal petition is disposed of at the admission stage.

3. Earlier the petitioners filed petitions to quash the proceedings and this Court, by virtue of the orders dated 04.11.2016 in CRLP.No.4609 of 2016, directed the petitioners to approach the Court below seeking for their discharge and subsequent to that CRLP.No.7799 of 2016 was filed, as the above mentioned order did not spell anything as regards the NBWs that were pending against the petitioners. By virtue of the order in CRLP.No.7799 of 2016, the Court below recalled the NBW issued against A4 but, however, made a direction that the petitioner therein would appear before the trial Court on each and every date of adjournment and similar order was passed in respect of A5 also in CRLP.No.6966 of 2016 dated 09.04.2016. Aggrieved of the same, petitioners are before this court.

4. The counsel for the petitioners submits that the petitioners, being a woman and an old aged man, are finding it difficult to attend the Court on every date of adjournment, though their presence is not required for the proceedings of the case.

5. This Court also considers that the presence of the parties before the Court below may not be insisted upon unless it is required for the proceedings of the case. Hence, in view of the above, the presence of the petitioners shall be dispensed with. But, however, the Court below can direct the petitioners to be present on those dates of the proceedings in which their presence is required.

With the above observations, the criminal petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed.

October 16, 2017
LMV

T. RAJANI, J

