

THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR

CRIMINAL PETITION No.8212 OF 2017

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, is filed seeking to quash the proceedings in C.C.No.106 of 2017 on the file of the Judicial First Class Magistrate, Anaparthi, for the offence punishable under Section 498-A of Indian Penal Code.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor.

Though various grounds are raised in the Criminal Petition, the learned counsel for the petitioners restricts his prayer seeking dispensation of presence of the petitioners before the trial Court.

The same is not seriously disputed by the learned APP.

Since the second and third petitioners are aged 69 and 64 years respectively and having regard to the judgment of the Supreme Court in ***Rajesh Sharma vs. State of U.P. & another***¹ the Criminal Petition is disposed of dispensing with the presence of the petitioners 2 and 3 i.e. accused Nos.2 and 3 before the trial Court, except on the dates when their presence is required by the trial Court. Accused Nos.2 and 3 shall not complain of any orders being passed by the trial Court in their absence, as they are duly represented by the first petitioner-A.1 and also by their counsel.

Consequently, miscellaneous petitions pending in this petition, if any, shall stand closed. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

19.09.2017
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¹ 2017 (2) LS 68 (S.C.)