

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.10799 OF 2017

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in C.C.No.55 of 2015 on the file of I Additional Judicial First Class Magistrate at Mancherial against these petitioners, who are arrayed as accused Nos.2 to 4 on various grounds.

After arguing for a while, learned counsel for the petitioners represented that the petitioners 1 and 2 are aged 57 and 50 years respectively, it is difficult for them to appear before the Magistrate for every adjournment but such power can be exercised by the Magistrate under Section 205 Cr.P.C or under Rule 37 of Criminal Rules of Practice.

Therefore, the petitioners 1 and 2 are permitted to move an application either under Section 205 Cr.P.C or Rule 37 of Criminal Rules of Practice and Circular Orders of Andhra Pradesh, and on filing such application, the Magistrate is directed dispose of the same within one week from the date of filing of service, after serving notice to respondent No.2.

With the above direction, the criminal petition is partly allowed.

Consequently, miscellaneous applications pending if any, shall also stand dismissed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:16.11.2017
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