

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1172 of 2018

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioner/A.1 to quash the proceedings in C.C.No.1104 of 2017 on the file of the II Additional Judicial Magistrate of First Class, Bhimavaram, registered for the offences under Sections 457, 380, 411 & 109 of I.P.C.

2. Heard the learned counsel for the petitioner/A.1, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. Having argued for some time, learned counsel for the petitioner/A.1 would submit that if a direction is given to the Court below not to insist the appearance of the petitioner/A.1 except on the dates when his personal appearance is required, that would be sufficient.

4. As per the material placed on record, there are allegations constituting offences under Sections 457, 380, 411 & 109 of I.P.C. Hence, it is not a fit case to quash the proceedings in C.C.No.1104 of 2017 on the file of the II Additional Judicial Magistrate of First Class, Bhimavaram. However, as and when the petitioner has got any urgency or any other work where he cannot attend the proceedings before the Court below, he is at liberty to file an application under Section 317 of Cr.P.C. seeking to dispense with his personal attendance before the Court below; and, in the event

of filing of any such application by the petitioner/A.1, the Court below may consider the same in accordance with law.

5. With the above observation, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

Dr.SHAMEEM AKTHER, J

05th February, 2018
Bvv

