

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.4776 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.5, A.7, A.9, A.10, A.13, A.14, A.18, A.21, A.23, A.24 & A.26, to quash the proceedings in C.C.No.11 of 2017 on the file of VIII Additional Chief Metropolitan Magistrate, Visakhapatnam at Gajuwaka.

2. Heard the learned counsel for the petitioners/A.1 to A.5, A.7, A.9, A.10, A.13, A.14, A.18, A.21, A.23, A.24 & A.26, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. As seen from the material placed on record, there are specific allegations against the petitioners/A.1 to A.5, A.7, A.9, A.10, A.13, A.14, A.18, A.21, A.23, A.24 & A.26. The truth or otherwise of the allegations are required to be determined after due trial. Therefore, it cannot be said that there are no grounds to proceed against the petitioners/A.1 to A.5, A.7, A.9, A.10, A.13, A.14, A.18, A.21, A.23, A.24 & A.26, for the offences punishable under Sections 448, 341, 427, 506 429 read with 34 of I.P.C.

4. At this stage of dictation of this order, the learned counsel for the petitioners/A.1 to A.5, A.7, A.9, A.10, A.13, A.14, A.18, A.21, A.23, A.24 & A.26, would submit that the petitioners are

coolies and their personal appearance before the Court below on each and every date of adjournment may be dispensed with. As seen from the record, there are no merits in the Criminal Petition. However, the petitioners/A.1 to A.5, A.7, A.9, A.10, A.13, A.14, A.18, A.21, A.23, A.24 & A.26, are at liberty to file application(s) before the Court below seeking dispensation of their personal attendance on each and every date of adjournment; and, in the event of the petitioners filing such application(s), the Court below may consider the same on merits and in accordance with law.

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

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

30th April, 2018
Bvv

Dr. SHAMEEM AKTHER, J

