

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.9270 OF 2011

ORDER:

This Criminal Petition, under section 482 of Cr.P.C., is filed by the Petitioners/A-1 and A-2 seeking to quash the proceedings in C.C. No.153 of 2009 on the file of I Additional Munsif Magistrate, Sattenapalli, Guntur District (for short, 'the trial Court'), registered for the offences punishable under Sections 379 and 420 R/w.34 of I.P.C.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, appearing for the 1st respondent – State. None appears for the 2nd respondent – complainant, in spite of service of notice.

3. Learned Public Prosecutor submits that charge sheet is filed in this case. Hence, the petitioners are at liberty to file a discharge petition before the trial Court and raise all the contentions that are raised in this Petition.

4. At this stage, learned counsel for the petitioners requested to dispense with the presence of the parties before the trial Court.

5. In view of the above, this Court considers that the presence of the parties before the trial Court 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 trial Court can direct the petitioners to be present on those dates of the proceedings in which their presence is required.

6. In the light of the above, the Criminal Petition is dismissed.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand dismissed.

T. RAJANI, J

Date: 25.09.2018.
Dsh

SMT JUSTICE T.RAJANI

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DSH