

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.10456 of 2018

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code to quash the proceedings in C.C.No.140 of 2016 on the file of Judicial Magistrate of First Class, Podili, registered for the offence punishable under Section 324 read with 34 IPC, against petitioners/A1 to A4.

Learned counsel for the petitioners requested the Court to dispense with the appearance of the petitioners by exercising power under Section 205 Cr.P.C or under Rule 37 of the Criminal Rules of Practice. But this Court cannot exercise power under Section 482 Cr.P.C. to pass order under Section 205 Cr.P.C or under Rule 37 of the Criminal Rules of Practice. Therefore, liberty is given to the petitioners to file appropriate application before the Magistrate concerned.

In the result, the criminal petition is disposed of giving liberty to the petitioners to file appropriate application before the Magistrate concerned and on filing such application after serving notice on the other side, the Magistrate is directed to dispose of the said application in accordance with law.

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

JUSTICE M. SATYANARAYANA MURTHY

03.10.2018
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