

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.11221 OF 2018

ORDER:

1. This Criminal Petition, under Section 482 of Cr.P.C., is filed by the Petitioners/A-1 to A-3 seeking to quash the docket order, dated 22.10.2018, passed in C.C. No.520 of 2015, by the learned III Additional Chief Metropolitan Magistrate, Gajuwaka, Visakhapatnam District (For short, 'the Court'). By virtue of which, the trial Court issued N.B.Ws. against the petitioners.

2. Heard learned counsel for the petitioners and learned Public Prosecutor appearing for the 1st respondent – State.

3. Learned counsel for the petitioners submits that the petitioners are old aged and could not attend the Court and they also filed a Petition but the same was dismissed.

4. Hence, considering the above, this Court opines that the N.B.Ws. issued against the petitioners need to be recalled. But, since there is no stay, the petitioners have to be present before the Court in order to facilitate the conduct of the proceedings in the case. Therefore, the petitioners are directed to be present before the Court on the next date of hearing *i.e.*, on 31.10.2018 and also on other dates, whenever the trial Court directs them to be present.

5. Accordingly, with the above observation, the Criminal Petition is allowed. Consequently, the N.B.Ws. issued against the petitioners are recalled.

6. As a sequel, miscellaneous petitions if any, pending in this Criminal Petition shall stand closed.

T. RAJANI, J

Date: 24.10.2018.

Note:

Issue C.C. by 25.10.2018

Dsh



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