

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.11554 of 2018

ORDER :

The petitioners are A.1 to A.2 in C.C.No.1067 of 2017 on the file of the IV Additional Chief Metropolitan Magistrate, Vijayawada, which is out come of Crime No.596 of 2017 of Bhavanipuram Police Station, Vijayawada City, registered for the offences punishable under Sections 354-D, 509 and 506 read with 34 IPC.

2. Heard learned counsel for the petitioners and the 2nd respondent/*de facto* complainant and perused the F.I.R. and charge sheet.

3. There is no Part-II case diary in support of the charge sheet, thereby the Court is not in a position to go into merits to decide as to entitlement to quashment or not.

4. Having regard to the above, the criminal petition is disposed of, rather than keeping pending, by left open all defences including to file any application if at all for discharge if no grounds to frame charges as contemplated by Section 238 Cr.P.C. So far as the 1st petitioner concerned, he is a physically challenged as per the Certificate of Government General Hospital Committee of Doctors of the Medical Board, Vijayawada, the petitioners are given liberty to approach the trial Court by filing application under Rule 37 of the Criminal Rules of Practice for permitting the 1st petitioner/A.1 to represent by the 2nd respondent/A.2, but for personal appearance as and when required by

passing necessary orders, by virtue of this order, by the learned Magistrate/trial Judge.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

22nd November 2018.

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