

HON'BLE JUSTICE G. SRI DEVI
CRIMINAL PETITION No.5426 of 2019

ORDER :

This Criminal Petition is filed under Section 482 of the Code of the Criminal Procedure, 1973, seeking to quash the proceedings in S.C.No.116 of 2018 on the file of the Special Sessions Judge for Trial of cases under SCs/STs (PoA) Act, 2015.

2. A charge sheet came to be filed against the petitioners-A1 to A4 for the offences punishable under Sections 498-A, 494 and 420 IPC and 3 (1) (r) and 3 (2) (va) of SCs/STs (PoA) Act, 2015.

3. Though the present Criminal Petition is filed seeking quashing of entire proceedings against the petitioners, learned counsel for the petitioners restricts his prayer seeking dispensation of the presence of the petitioners before the trial Court on every date of adjournment.

4. The learned Public Prosecutor submits that since the 1st petitioner-A1 is the prime accused, he is not entitled for dispensation of his personal appearance before the trial Court. He further submits that since the identity of the petitioners 2 to 4-A2 to A4 is not in dispute, their presence in the above SC may not be necessary on every date of adjournment.

5. Having regard to the facts and circumstances of the case, the personal appearance of the petitioners 2 to 4-A2

to A4 in S.C.No.116 of 2018 on the file of the Special Sessions Judge for Trial of cases under SCs/STs (PoA) Act, 2015, is hereby dispensed with while permitting them to mark their appearance through their counsel, except on the dates when their presence is specifically required by the said Court. However, the dispensation of personal appearance of the 1st petitioner-A1 is rejected.

6. With the above direction, the Criminal Petition is disposed of. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

DATED: 30.08-2019.

Hsd

JUSTICE G. SRI DEVI



