

HON'BLE JUSTICE G. SRI DEVI
CRIMINAL PETITION No.7791 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 C.C.No.546 of 2019 on the file of the Addl. Judl. Magistrate of I Class, Aler.

2. A charge sheet came to be filed against the petitioners/A1 to A6 for the offences punishable under Sections 447, 427, 323 and 506 r/w 34 IPC.

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 as the 1st petitioner-A1 is the prime accused, he is not entitled for dispensation of his presence before the trial Court. However, since the identity of the other petitioners is not in dispute, their presence in the above C.C. 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 6/A2 to A6 in C.C.No.546 of 2019 on the file of the Addl. Judl. Magistrate of I Class, Aler, 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 before the trial Court in the above C.C. is rejected.

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

JUSTICE G. SRI DEVI

DATED: 02.12.2019.

Hsd



