

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.1182 OF 2022

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused No.3 seeking to quash the proceedings against him in C.C.No.37 of 2021 pending on the file of 1st Additional Chief Metropolitan Magistrate at Nampally, Hyderabad. The offences alleged against him are under Sections 452, 354 (D), 509, 506 of Indian Penal Code.

2. Heard learned counsel for the petitioner - Accused No.3 and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. Learned counsel for the petitioner confined his prayer to dispense with the personal appearance of petitioner - Accused.

4. Considering the submission of learned counsel for the petitioner, the attendance of the petitioner – Accused No.3 is dispensed with in C.C.No.37 of 2021 pending on the file of 1st Additional Chief Metropolitan Magistrate at Nampally, Hyderabad,

when represented by his counsel on record. The attendance of the petitioner – Accused is dispensed with subject to filing an affidavit by the petitioner stating that in his absence the proceedings conducted by his counsel will not be disputed by him in any manner and shall not dispute his identity also. However, the petitioner shall appear before the learned Magistrate as and when his presence is required. In the event of failure of the petitioner to appear when the Court directs, this order dispensing his attendance shall stand cancelled.

5. Accordingly, the Criminal Petition is disposed of. Needless to say, in the event of the petitioner filing an application under seeking discharge, the concerned Court shall dispose it of on merits within a period of four (04) weeks, from the date of filing after hearing arguments on both sides.

Miscellaneous applications pending, if any, shall stand closed.

K.SURENDER, J

Date: 24.02.2023
kgk