

THE HONOURABLE SRI JUSTICE K.SURENDER**CRIMINAL PETITION No.10909 OF 2022****O R D E R:**

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioners-Accused Nos.1 to 3 to quash the proceedings against them in C.C.No.687 of 2020 pending on the file of learned Judicial First Class Magistrate at Aler. The offences alleged against them are under Sections 448 and 323 of the Indian Penal Code (for short "IPC").

2. Heard learned counsel for the petitioners-Accused Nos.1 to 3 and learned Additional Public Prosecutor for the respondent – State. Perused the record.

3. Learned counsel for the petitioners confined his prayer to dispense with the personal appearance of the petitioners - Accused Nos.1 to 3.

4. Thus, having regard to the facts and circumstances of the case, the attendance of the petitioners – Accused Nos.1 and 2 is dispensed with in C.C.No.687 of 2020 pending on the file of learned Judicial First Class Magistrate at Aler, when

represented by their counsel on record. The attendance of the petitioners No. 1 and 2 is dispensed with subject to filing affidavits by them stating that in their absence the proceedings conducted by their counsel will not be disputed by them in any manner and also they shall not dispute their identity. However, the petitioners shall appear before the learned Magistrate as and when their presence is required. In the event of the petitioners failure to appear when the Court directs, this order dispensing their attendance would stand cancelled. No such relief is given so far as petitioner No.3 – Accused No.3 is concerned.

5. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

Date: 02.02.2023
tmk

K.SURENDER, J

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