

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

Criminal Petition No.5028 of 2019

ORDER :

1. Heard and perused the record. With the consent of both the counsel, the Criminal Petition is being disposed of at the admission stage.

2. The present application came to be filed under Section 482 of the Code of Criminal Procedure, 1973, seeking quashing of the proceedings in C.C. No.290 of 2018 on the file of the IV Additional Judicial First Class Magistrate, Kakinada. The charge-sheet came to be filed against the petitioner and others for the offences punishable under Sections 341, 506 and 509 I.P.C.

3. Though the present application is filed seeking quashing of the proceedings in C.C., but the learned counsel for petitioners restricts his prayer seeking dispensation of the presence of the petitioner – accused during the course of trial before the trial Court.

4. On the other hand, learned Public Prosecutor opposed the same contending that since the petitioner is the sole accused, his presence would be necessary on the dates of examination of witnesses etc.,

5. Having regard to the facts and circumstances of the case, the nature of allegations made and as there is no dispute with regard to the identity of the petitioner – accused, his presence in C.C.

No.290 of 2018 on the file of the IV Additional Judicial First Class Magistrate, Kakinada, is hereby dispensed, except on the dates when his presence is specifically required by the Court.

6. Accordingly, the Criminal Petition is disposed of.

As a sequel thereto, Interlocutory Applications, if any, pending in this Criminal Petition, shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

31.12.2019
skmr