

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION NO. 2245 OF 2015

ORDER:

At the admission stage, the following order is passed.

On perusal of impugned orders of Courts below, I find no irregularity or illegality in those orders while exercising the discretion under Section 142 of the Negotiable Instruments Act and condoning the delay of 4 days in filing the complaint by the complainant. The delay pleaded was due to sickness of mother of the complainant, which was found favour with the trial court.

The main contention of the learned counsel for petitioner herein is that no medical record of the mother of the complainant was filed in proof of her alleged illness. It is true that the complainant has not produced the medical record of his mother. However, as rightly observed by the trial court non-filing of the medical record alone cannot be a ground to throw away the plea of the complainant. The petitioner herein is at liberty to put forth the defenses available to him under law in the main case.

With this observation, the Criminal Petition is dismissed.

As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 31.03.2015

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