

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5205 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioner/Accused under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.373 of 2014 on the file of Judicial Magistrate of the First Class, Special Mobile Court, Eluru, West Godavari District registered for the offence punishable under sections 138 and 142 of the Negotiable Instruments Act.

2) Heard the learned counsel for the petitioner and also the 1st respondent represented by the Public Prosecutor before admission and before issuing notice to the 2nd respondent/defacto-complainant and perused the material on record.

3) A perusal of the material on record, falls short for this Court even to admit the application under Section 482 Cr.P.C to quash the proceedings stated supra, but for liberty is left open to the petitioner to cross-examine the complainant and bring on record any material if not signature of the complainant and not the correct address and not given the cheque to the complainant by the accused. If the petitioner files any application under Section 205 Cr.P.C to dispense with the personal appearance, the learned Magistrate shall consider to represent through special vakalat holder during trial.

4) With the above observations, the petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

24.06.2015

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