

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.4386 of 2015

ORDER :

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This Criminal Petition is filed by the Petitioner/ accused No.5 under Section 482 Cr.P.C seeking to quash the proceedings in C.C. No.154 of 2015 on the file of VI Metropolitan Magistrate, Cyberabad, at Medchal, which is a case registered for the outcome of private complaint for the offence punishable under Section 138 of N.I Act read with 142 of N.I Act.

2) Heard learned counsel for the petitioner/ accused No.5 as well as learned public prosecutor representing 1st respondent—State before admission and before ordering notice to respondent No.2. Perused the material on record.

3) The contention of the learned counsel for the petitioner/ accused No.5 is that from the very complaint of para Nos.2 and 3, as if the accused persons 2 to 5 are the directors and responsible for day to day business of Accused No.1 company, which is not sufficient even under Section 141 of N.I Act and it is a false accusation to go around the Court.

4) Having regard to the above, the application is disposed of giving liberty to petitioner to file an application under Section 258 Cr.P.C before the learned Magistrate to decide the same and further giving liberty to file an

application under Section 205 Cr.P.C to represent through special vakalath holder for the trial Court to hear and frame with necessary conditions.

5) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.01.07.2015
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Date: 01.07.2015

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