

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3143 of 2016

ORDER:

This Criminal Petition is filed by the petitioner-accused No.3 seeking to quash the proceedings against them in CC No.478 of 2014 on the file of the III Special Magistrate, Visakhapatnam, Visakhapatnam District.

The petitioner is alleged to have committed the offences punishable under Section 138 of the Negotiable Instruments Act. It is alleged that the petitioner due an amount of Rs.35,53,000/- to the complainant company and he issued a cheque for Rs.11,00,000/- towards part payment, which was deposited in the bank by the complainant and was returned unpaid with an endorsement insufficient funds.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to interfere with the proceedings against him the above CC.

At this stage, the learned Counsel for the petitioner prayed for dispensing with the presence of the petitioner before the trial Court.

In view of the above submission, the presence of the petitioner before the trial Court is dispensed with except on the dates on which the trial Judge insists for his presence. The petitioner is directed to be represented through a Counsel before the trial Court on all hearing dates.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 11, 2016.

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