

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.509 of 2016

ORDER:

This Criminal Petition is filed by the complainant under Section 482 of Cr.P.C. seeking to quash the orders dated 30.11.2015 passed by the Metropolitan Sessions Judge whereby the learned judge dismissed C.R.P.No.215 of 2015 confirming the orders dated 8.7.2015 passed by IX Special Magistrate, Hyderabad dismissing CrI.M.P.No.1263 of 2015 in C.C.No.6 of 2013 filed by the petitioner herein to summon the bank manager, Axis Bank Ltd., Hyderabad main branch, Greenlands Road, Begumpet in order to examine him as witness regarding the date of return of the disputed cheque.

Heard and perused the material available on record.

Considering the facts and circumstances of the case, without expressing any opinion as to the merits of the impugned order, the trial Court is directed to permit the petitioner-complainant to summon the branch manager of Axis Bank, Hyderabad for the purpose of marking the returned memo issued by the complainant's bank in order to prove the date of return of the disputed cheque. Further the first respondent-accused is at liberty to take all his objections by way of cross-examination at the time of examining the bank manager and after marking of the said document.

With the above directions, the Criminal Petition is disposed of.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

28.03.2016.

Tsr