

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.3968 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings initiated against the petitioner/accused in C.C.No.29 of 2015 on the file of Judicial First Class Magistrate, Venkatagiri Town, SPSR Nellore District, arising out of a complaint filed under Section 138 and 142 of the Negotiable Instruments Act, 1881.

Heard the learned counsel for the petitioner and perused the material on record.

Offence alleged against the petitioner is punishable under Sections 138 read with Section 142 of the Negotiable Instruments Act. Since the material on record *prima facie* reveals specific allegations are alleged against the petitioner, this Court is not inclined to interfere with the trial at this stage.

In any event, considering the nature of allegations wherein the question of identity of the petitioner/accused does not arise, the presence of the petitioner before the trial Court is dispensed with, except on the dates when the presence of the petitioner is essential required for the purpose of examination under Section 313 Cr.P.C. or for any other purpose and the petitioner shall be properly represented by his counsel before the trial Court.

Accordingly, the criminal petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

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RAJA ELANGO, J

Date: 23-03-2016

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