

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.2268 OF 2016

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ORDER:
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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.362 of 2011 on the file of the I Additional Judicial First Class Magistrate, Warangal.

Heard and perused the material available on record.

The petitioner is alleged to have committed the offence punishable under Section 138 of the Negotiable Instruments Act and Section 420 IPC. It is alleged that the petitioner used to purchase the kirana commodities from the shop of the complainant on debit. As on 31.3.2010, the due amount payable by the accused is Rs.53,48,194.74 ps. When the complainant requested the accused to pay the due amount, the accused used to postpone the payment. On demand, the petitioner issued post-dated cheques. When the complainant presented the said cheques, they were dishonoured.

Considering the facts and circumstances of the case, this Court is not inclined to interfere with the proceedings in the above C.C.

At this stage, the learned Counsel for the petitioner submitted that the presence of the petitioner's Managing Partner may be dispensed with.

In view of the above submission, the presence of the petitioner's Managing Partner before the trial Court is dispensed with except on the dates when his presence is insisted by the trial Court, and the petitioner shall be represented by a Counsel before the trial Court on all hearing dates.

Accordingly, the Criminal Petition is disposed of.

Consequently, the miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 24.2.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 24.2.2016

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