

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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CRIMINAL PETITION Nos.797, 1229 and 1230 of 2015

COMMON ORDER:

These Criminal Petitions are filed by the petitioners-accused Nos.1 to 7, under Section 482 Cr.P.C., seeking to quash the proceedings against them in CC No.44 of 2015 on the file of the V Special Magistrate, Erramanzil, Hyderabad.

All the three criminal petitions arising out of the same CC, and hence, they are disposed of by this common order.

Heard and perused the material available on record.

The petitioners are alleged to have committed the offence punishable under Section 138 of the Negotiable Instruments Act. The truth of which can be decided after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

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

Considering the facts and circumstances of the case and also in view of the submission of the learned counsel for the petitioners – accused, this Court is of the view that no prejudice would be caused to the de facto complainants if the petitioner No.2 in CrI.P. No.797 of 2015 i.e. Duddukunta Sreedhar Reddy is permitted to represent on behalf of the 1st petitioner in CrI.P.No.797 of 2015 and also the petitioners in CrI.P.Nos.1229 and 1230 of 2015 before the trial Court, since he being the Managing Director of the company, is a competent person to face the trial before the trial Court.

Accordingly, all the above three Criminal Petitions are disposed of and the presence of the 1st petitioner in CrI.P.No.797 of 2015 and the petitioners in CrI.P. Nos.1229 and 1230 of 2015 before the trial Court is dispensed with and the 2nd petitioner in CrI.P.No.797 of 2015 i.e. Duddukunta Sreedhar Reddy, is permitted to represent on behalf of the 1st petitioner in CrI.P.No.797 of 2015 and also the petitioners in

Crl.P. Nos.1229 and 1230 of 2015 before the trial Court. The trial Court is also directed not to insist for the presence of the 1st petitioner in Crl.P.No.797 of 2015 and the petitioners in Crl.P. Nos.1229 and 1230 of 2015 till disposal of the case. The petitioners in all the three petitions shall be represented through a counsel before the trial Court.

Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 28, 2016.
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CRIMINAL PETITION No.3537 of 2016

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