

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.No.6112 of 2016

ORDER

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This petition under Section 482 Cr.P.C. is filed by the petitioner/A2 seeking to quash the proceedings in C.C.No.36 of 2013 on the file of V Additional Munsif Magistrate, Guntur, Guntur District, registered for the offence punishable under Section 138 r/w 142 of Negotiable Instructions Act, 1881, against him.

2. It is alleged in the complaint that the complainant company has supplied cotton to A1 company, for which A2 and A3 are its Directors, and utilized the same for its business and that towards part payment of the goods, the accused issued a cheque on 08.04.2012 for Rs.4,37,320/- in favour of the complainant. When the complainant presented the said cheque in the Bank, the same was dishonoured due to insufficiency of funds. Hence, after following due procedure, the complainant filed the present complaint against A1 to A3.

3. Heard and perused the material on record.

4. Since the matter arising out of financial transactions, it has to be decided after full fledged trial and therefore, this Court is not inclined to interfere with the impugned proceedings. At this stage, learned counsel for the petitioner confined his argument to the extent that the presence of the petitioner/A2 before the trial Court may be dispensed with. In view of the same, the presence of the petitioner/A2 before the trial Court is dispensed with except on the dates whenever his presence is insisted by the trial Court and he shall be represented by his counsel.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

25th April, 2016
sj

RAJA ELANGO, J