

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3905 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in C.C.No.3 of 2016 on the file of the I Special Magistrate, Erramanzil, at Hyderabad. arising out of offence under Section 138 of the Negotiable Instruments Act.

Heard and perused the material available on record.

This Court is of the view that truth or otherwise of the allegations made against the petitioner can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioner.

Learned counsel for the petitioner submits that the petitioner is ready to cooperate with the investigating agency and as such prays this Court to dispense with the presence of the petitioner before the Court below.

Considering the facts and circumstances of the case and also as the question of identity of the accused does not arise, the presence of the petitioner herein is dispensed with except on the dates when the trial Court insists for his appearance. The petitioner shall be represented through the counsel before the Court below on all hearing dates.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

22.03.2016

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