

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6881 of 2016

ORDER:

This Criminal Petition is filed by the petitioner-accused seeking to quash the proceedings against him in STC No.466 of 2015 on the file of the IV Judicial Magistrate of First Class, Chittoor.

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. It is alleged that the petitioner took an amount of Rs.10,00,000/- from the de facto complainant promising to repay the same with interest and when the de facto complainant demanded for repayment, he issued a cheque, which was dishonoured when deposited by the de facto complainant in the bank. The truth or otherwise of the above allegations can be ascertained during trial of the case. Hence, this Court is not inclined to interfere with the proceedings against the petitioner the above STC.

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

In view of the above submission, the presence of the petitioner before the trial Court is dispensed with except on the dates on which the trial Judge insists for his appearance. The petitioner is directed to be represented through a Counsel before the trial Court on all hearing dates.

Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

April 29, 2016.

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