

THE HONOURABLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5617 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) by the petitioners/accused Nos.5 and 6 seeking to quash the C.C.No.28 of 2016 on the file of the III Additional Judicial First Class Magistrate, Khammam, for the offences under Sections 138 and 142 of the Negotiable Instruments Act and Section 420 I.P.C.

Heard the learned counsel for the petitioners/accused and the learned Public Prosecutor and perused the material available on record.

On a perusal of the charge sheet, this Court is of the view that truth or otherwise of the allegations made against the petitioners can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

In any event, considering the nature of allegations wherein the question of identity of the accused does not arise, presence of the petitioners before the trial Court is dispensed with except on the dates of framing of charges, examination under Section 313 Cr.P.C. and pronouncement of the judgment.

Accordingly, the Criminal Petition is disposed of. Consequently, the miscellaneous petitions pending in this

petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

19.04.2016

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