

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2556 of 2016

ORDER:

This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioners – Accused Nos.1, 3 to 5 seeking to quash the proceedings initiated against them in C.C.No.4 of 2015 on the file of the XIV Special Magistrate, Errammanzil, Hyderabad.

Heard and perused the material available on record.

The offence alleged against the petitioners is punishable under Section 138 of the Negotiable Instruments Act. The allegations against the petitioners are that they issued several cheques to the de facto complainant company for the goods purchased by them and when deposited, the cheques were returned with endorsement “funds insufficient”. A reading of the complaint also reveals some allegations against the petitioners, the truth of which can be decided only after due trial. Hence, this Court is not inclined to interfere with the proceedings against the petitioners.

At this stage, learned counsel for the petitioners confined his arguments only to the extent of dispensing with the presence of the petitioners before the trial Court.

Considering the facts and circumstances of the case and in view of the submission of the learned counsel for the petitioners, the presence of the petitioners - Accused Nos.1, 3 to 6 is dispensed with before the trial Court. The petitioners shall be properly represented through their counsel before the trial Court.

With the above directions, this Criminal Petition is disposed of.
Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 26, 2016.
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