

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7041 OF 2017

ORDER:

Heard learned counsel for the petitioner/accused and also the learned public prosecutor representing the 1st respondent – State, before ordering notice to 2nd respondent – defacto complainant of the private complaint case for the offence punishable under Section 138 of N.I.Act in STC.No.159 of 2017, on the file of IV Additional Junior Civil Judge, Chittoor and perused the grounds urged in the quash petition and original complaint.

2. A perusal of the record no way enables the Court to stall the trial proceedings, but for to left open all available defences to the petitioner/accused during the trial. Needless to say, from the contention of the petitioners counsel, petitioner is not in a position to appear in the court for every adjournment, remedy is left open to the petitioner/accused, by virtue of the order of this Court, to file application under Section 205 Cr.P.C. to represent through Special Vakalat Holder for the trial court to hear both sides and pass the order with necessary conditions.

3. Accordingly and with the above directions, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

11.08.2017
SS