

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.8594 of 2017

ORDER:

Heard.

In this petition filed under Section 482 Cr.P.C., the petitioner/accused seeks for quashment of proceedings in C.C.No.464 of 2017 (Previously C.C.No.190 of 2017 on the file of XIX of Metropolitan Magistrate, Miyapur) on the file of III Special Metropolitan Magistrate at Miyapur, which is filed by the 2nd respondent under Section 138 of Negotiable Instruments Act.

When this matter came up for hearing, learned counsel for the petitioner/accused would urge that since there was an involvement of Rs.80,00,000/- (Eighty lakhs), the petitioner wants to establish his defence plea that the complainant has to prove that the said amount was legally acquired by him to sustain the case against the petitioner and therefore, he will approach the trial court and participate in the trial and in that view, he is not insisting for quashment of the case proceedings. But, however, the presence of the petitioner/accused may be dispensed with before the trial court.

Having regard to the above submissions, this Criminal Petition is disposed of by dispensing with the presence of the petitioner/accused before the trial court. However, as and when the trial deems it necessary, it can direct the petitioner/accused to be present before it.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

U.DURGA PRASAD RAO,J

Dated 19-9-2017.

Dvs



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