

HON'BLE SRI JUSTICE GUDI SEVA SHYAM PRASAD

CRIMINAL PETITION No.13705 OF 2013

ORDER:

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in C.C.No.256 of 2013 pending on the file of the II Special Magistrate, Kukatpally at Miyapur, Hyderabad.

Heard learned counsel for the petitioners, respondent No.1, the Additional Public Prosecutor for respondent No.2-State and perused the record.

Learned counsel for the petitioners submits that petitioner Nos.1, 2 and 4, who are A.3, A.5 and A.6 are not the directors when the cheques were issued by the company. Therefore, there is no liability against them for issuance of cheques and prayed to quash the proceedings against them. He further submits that the presence of petitioner No.3 may be dispensed with before the trial Court as she is a lady.

In the light of the arguments advanced by both sides, which was already discussed, in a similar matter in CrI.P.No.6870 of 2013, the same proposition of law is applicable to this case also.

In the result, the Criminal Petition is partly allowed quashing the proceedings against petitioner Nos.1, 2 and 4, who are A.3, A.5 and A.6 in C.C.No.256 of 2013 pending on the file of the II Special Magistrate, Kukatpally at Miyapur, Hyderabad. The presence of petitioner No.3 is dispensed with during the trial except on the occasions her presence is specifically required by the trial Court.

The Miscellaneous Petitions, if any, pending shall stand closed.

GUDI SEVA SHYAM PRASAD, J

Date : 13.04.2018
ssp