

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.10985 OF 2011

ORDER:

The present Criminal Petition is filed, under Section 482 of the Code of Criminal Procedure, 1973, by the petitioner - accused seeking to quash the proceedings against him in Calendar Case No.72 of 2011, pending on the file of the learned VI Additional Judicial Magistrate of First Class, Rajahmundry, Andhra Pradesh State, registered for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for short 'Act, 1881').

2. Heard Sri Nageshwara Rao Pappu, learned counsel for the petitioner - accused, and learned Public Prosecutor for the State of Andhra Pradesh appearing for respondent No.1. No representation for respondent No.2 despite entering appearance.

3. The only ground, on which, the present Criminal Petition filed is that the Magistrate at Rajahmundry has no jurisdiction to take cognizance, as the entire transaction took place at Hyderabad and, therefore, requested to allow the petition. But, the learned counsel for the petitioner does not deny the fact of presentation of cheque and its return at Rajahmundry. Thus, there is absolutely no error on the part of the Magistrate at Rajahmundry in taking cognizance of the case, on the point of jurisdiction.

4. Considering the above circumstance, the present Criminal Petition is dismissed.

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition stand closed, and the interim stay granted earlier stands vacated.

SMT. T. RAJANI, J

October 22, 2018

Mgr

