

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

Crl.P.No.3580 of 2026

PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
01.	29.04.2026	<u>SS,J</u> <u>I.A.No.01 of 2026</u> This application is considered and allowed, permitting the Petitioner/Accused No. 4 to proceed with the Criminal Petition without filing a certified copy of C.C.No.871 of 2021 on the file of the learned Judicial Magistrate of First Class, Palasa. <u>SS, J</u> <u>Crl.P.No.3580 of 2026</u> The Petitioner is arrayed as Accused No.4 in C.C. No. 871 of 2021 on the file of the learned Judicial Magistrate of First Class, Palasa, for the alleged offence punishable under Section 138 of the Negotiable Instruments Act, 1881. It is the contention of the Petitioner that he has been cited as Accused No.4 in the said case, as he is not the signatory of the disputed cheque and is only a partner of the firm. He further submits that he had no role in the issuance of the cheque forming the basis of the complaint. Heard the learned counsel for the parties. This matter cannot be disposed of without	

		hearing the de-facto complainant. Issue notice to Respondent No.2. The learned counsel for the Petitioner is permitted to take out notice on Respondent No.2 and file proof thereof in the Registry. List the matter after Summer Vacation, 2026. <u>SS, J</u> <u>I.A.No.02 of 2026</u> This is an application seeking stay of all further proceedings against the Petitioner/Accused No.4 in C.C. No. 871 of 2021 on the file of the learned Judicial Magistrate of First Class, Palasa, including the requirement of presence of the Petitioner before the learned Trial Court. Having considered the facts and circumstances of the case, and in view of the fact that the Petitioner is not the signatory of the disputed cheque, this Court is of the opinion that the presence of the Petitioner is not necessary pending disposal of C.C. No. 871 of 2021 before the learned Judicial Magistrate of First Class, Palasa. Accordingly, the appearance of the Petitioner before the learned Trial Court C.C.No.871 of 2021 before the learned Judicial Magistrate of First Class, Palasa is dispensed with.	
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		It is made clear that, the Petitioner shall be represented through his counsel before the learned Trial Court and shall make his presence only when specifically required, by learned Trial Court including dates of framing of charge, examination under Section 313 Cr.P.C., and on the date of judgment. <u>SS, J</u> PRA	
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