

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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CRIMINAL PETITION No.4900 of 2015

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ORDER :

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This Criminal Petition is filed by the Petitioners/ accused Nos.1 to 4 under Section 482 Cr.P.C, seeking to quash the proceedings in FIR No.243 of 2015 of Ongole Taluq Police Station, Prakasam District registered for the offences punishable under Sections 420 and 506 IPC.

2) Heard learned counsel for the petitioners/ accused Nos.1 to 4 and learned public prosecutor for respondent Nos.1 and 2—state before admission and before ordering any notice to 3rd respondent—de facto complainant and perused the material on record.

3) The main contention of the petitioners is that the so called luring to provide the job to the daughter of de facto complainant is false and a weaving story introduced after the 1st respondent presented a report against the de facto complainant some time before the end of 2014 and further there are no monetary transactions directly with petitioners much less petitioners 2 and 3 and de facto complainant even from his say but for if at all for Simhadri Engineering College of 4th petitioner a civil outcome and there was an undertaking letter or memorandum between de facto complainant and 4th petitioner herein among others whereunder he promised to withdraw even the present crime, hence the proceedings are to be quashed by saying the so-called amount particularly the referred report 2nd item of Rs.5 lakhs apart from another amount of Rs.8 lakhs of the complainant to the college account directly from the

copies of the accounts of college, which are filed.

4) In fact a perusal of the material falls short for admission of the application including stay of investigation or arrest of accused but for the factual matrix supra, entitles the petitioners to the concession of bail.

5) Having regard to the above, the Criminal Petition is disposed of giving liberty to the petitioners to submit all the material to Investigating Officer as part of investigation and in the mean time giving liberty to petitioners to surrender before the learned Magistrate concerned and move for regular bail with notice to Additional Public Prosecutor concerned and in such event the learned Magistrate shall grant bail on the same day with necessary conditions. Needless to say pending investigation their presence shall be dispensed with at the post bail sanction stage.

6) In the event of police after investigation filed any report under Section 173 Cr.P.C in the form of charge sheet, further remedies are left open to the petitioners.

7) As a sequel, miscellaneous petitions, if any filed in this Criminal Petition, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:16.06.2015

Note: Issue CC tomorrow

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