

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

WEDNESDAY, THE THIRD DAY OF JUNE
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.587 of 2011

Between:

Nimmakayala Rama Swamy Naidu

..... PETITIONER

AND

The State of A.P.rep.by its

Public Prosecutor and another

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.587 of 2011

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the

proceedings in Cr.No.378 of 2010 on the file of the Station House Officer, Suryaraopet Police Station, Vijayawada City, wherein the petitioner is alleged to have committed offences punishable under Sections 468, 471 and 420 IPC.

Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

Basing on the letter of the 2nd respondent, the police registered the case against the petitioner. The allegation against the petitioner is that the residence certificate produced before the Family Court-cum-IV Additional District & Sessions Court, Krishna at Vijayawada is not genuine and is not issued by the concerned authority.

The OP filed by the petitioner before the Family Court-cum-IV Additional District & Sessions Court, Krishna at Vijayawada seeking restitution of conjugal rights was dismissed observing that the residence certificate produced by the petitioner is not genuine, and in turn, the 2nd respondent addressed a letter to the police to take action against the petitioner for cheating the court. The petitioner filed appeal against the dismissal of his OP and the same is pending. The petitioner along with the present petition filed a residence certificate, dated 11.11.2010, issued by the same Mandal Revenue Officer with the same address.

In the circumstances and as requested by the learned counsel for the petitioner, the investigating agency shall scrupulously follow the procedure and comply with Section 41A Cr.P.C and complete the investigation before taking any coercive steps against the petitioner.

With these observations, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 03.06.2015

Dsr

