

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.2776 of 2015

ORDER:

Upon hearing both sides, at the admission stage, the following Order is passed:

The charge sheet allegations show that the accused on the pretext of doing line business of gold ornaments, used to secure little quantity of gold ornaments from the wholesale gold merchants and repaid the amounts promptly at the beginning and later after gaining faith from the merchants, he took large quantity of gold ornaments i.e., 1928 grams, worth Rs.16,00,000/- and odd from Lw.1 and absconded and thus he cheated the complainant. The investigation is completed and the charge sheet is laid against the accused for the offence under Sections 403 and 420 of Indian Penal Code. The matter appears to be coming up for trial before the trial Court.

Having regard to the *prima facie* accusation contained in the charge sheet, it is not a fit case to quash the proceedings. The learned counsel for petitioner would submit that the petitioner was only an employee and he has not committed any offence. The petitioner is at liberty to put forth all the defences that are legally available to him before the trial Court, in which case, I am sure, the trial Court will consider and pass appropriate judgment after full fledged trial.

Accordingly, the Criminal Petition is dismissed.

As a sequel, miscellaneous petitions, if any, pending shall stand closed.

U.DURGA PRASAD RAO,J

07-04-2015

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THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No. 2776 of 2015

Dt. 07.04.2015

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