

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44509 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of 2nd respondent in registering the case in Crime No.200 of 2011 against the petitioner, as illegal and arbitrary and consequently to quash the same.

Heard and perused the material available on record.

The case of the petitioner is that the 4th respondent lodged the present complaint against the petitioner, who is A-2, and A-1 alleging that A-1 and A-2 approached the 4th respondent bank, applied for vehicle loan for Rs.3,00,000/- for purchase of Maruti Wagon-R Duo car and the loan was sanctioned on 06.11.2009 and that after documentation, the 4th respondent bank issued demand draft bearing No.553010 drawn in favour of M/s. Jayalakshmi Automotives and delivered the same to the accused and that the accused, with *mala fide* intention, opened a false and fabricated account in Indian Overseas Bank, Kothapet, Guntur, in the name of M/s. Jayalakshmi Automotives (Granite Spare Parts), encashed the pay order and there by cheated the 4th respondent Bank. Basing on the said complaint, the 3rd respondent registered the same as Crime No.200 of 2011 for the offences under Sections 406, 415, 420, 471 IPC and Section 156(3) Cr.P.C. The main grievance of the petitioner is that the petitioner came to know about the case recently through the police when the respondent police came to her house to arrest her and that the petitioner is apprehending arrest in the hands of the 3rd respondent.

Considering the grievance of the petitioner, the 3rd respondent is directed to complete the investigation in Crime No.200 of 2011, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to the satisfaction of the 3rd respondent as surety for her future appearance for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 21st December, 2016

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