

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3492 of 2016

ORDER:

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1. This Criminal Petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in C.C.No.173 of 2011 on the file of the Judicial Magistrate of First Class, Udayagiri, SPSR Nellore District.
2. The petitioner is alleged to have committed the offence punishable under Section 420 IPC. It is stated that the petitioner, who is peerless agent, approached L.Ws.1 to 13 to take policies and L.Ws.1 to 13 took the policies and the petitioner came with bonds and issued to them and asked them to pay the premium amount every month to him. Believing his words, they paid the premiums to the petitioner. Subsequently, L.W.1 came to know that the petitioner along with his wife left the village and cheated L.Ws. 1 to 13.
3. Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to grant the relief sought by the petitioner.
4. At this stage, the learned Counsel for the petitioner submitted that NBWs were issued against the petitioner in the above case.
5. In view of the above submission, the petitioner is directed to surrender and file an application before the trial Court to recall NBWs issued against him and on such application being filed, the trial Court is directed to consider and recall NBWs issued against the petitioner on condition of his executing 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 trial Court. The petitioner is directed to appear before the trial Court regularly on all hearing dates.
6. Accordingly, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 16th March, 2016
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