

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.8371 OF 2012

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused seeking to quash the proceedings in Crime No.683 of 2012 of P.S., Madhapur, registered for the offence under Section 420 IPC.

Heard the learned counsel for the petitioner/accused and the learned Public Prosecutor and perused the material available on record.

Learned counsel for the petitioner submits that the allegations in the complaint are totally false and are created only to harass the petitioner.

Considering the above facts and circumstances of the case, this Court is of the view that the truth or otherwise of the allegations made in the complaint can be decided during the trial and as such, this Court is not inclined to quash the proceedings.

In view of the submission of the learned counsel for the petitioner that the petitioner/accused is ready and willing to cooperate with the investigating agency, this Court directs the police concerned to complete the investigation without arresting the petitioner/accused and file final report in accordance with law. The police are directed to issue notice to the petitioner for his appearance for the purpose of investigation and the petitioner is also directed to appear and cooperate with the investigating agency. The petitioner is also directed to submit an Undertaking for his future appearance for the purpose of investigation.

The Criminal Petition is accordingly disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE RAJA ELANGO

19.09.2016
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