

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3758 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 by the petitioner/A-1 seeking to quash the proceedings in Crime No.47 of 2016 on the file of Eluru I Town Police Station, West Godavari District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Sections 384, 506 and 354(a) read with 34 I.P.C.
4. Case of the prosecution is that the petitioner herein is running unauthorised money lending business and he obtained 25 promissory notes and 25 empty cheque leaves towards security of Rs.30,00,000/- from respondent No.2. Further, the petitioner and others collected double the amount of actual borrowed amount by enhancing the rate of interest and finally, got registered one flat in his name and four flats in the name of another person by way of G.P.A. Learned counsel for the petitioner also relied upon some documents which clearly indicate that respondent No.2 executed a sale deed in favour of the petitioner.
5. The truth or otherwise of the said allegations can be ascertained by the Investigating Agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings against the petitioner in the above crime.
6. At this stage, learned counsel for the petitioner submitted that in view of the pendency of the above crime, the petitioner is apprehending arrest and also harassment in the hands of police.

7. In view of the above submission, the police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the police are directed to issue notice to the petitioner for his appearance before the Investigating Agency for the purpose of investigation. On issuance of such notice, the petitioner shall appear before the Investigating Agency and give an undertaking as to his future appearance as and when required by the Investigating Agency for the purpose of investigation.

8. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

22.3.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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Date: 22.3.2016

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