

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3522 OF 2016

ORDER:

This petition is filed by the petitioners-accused Nos.1 and 2 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.28 of 2016 on the file of Kota Police Station, SPSR Nellore District, registered for the offence punishable under Section 420 r/w.34 IPC.

It is alleged that the petitioners induced the de facto complainant and her husband to invest money in their aquaculture business and also took huge amount from her and when she asked to repay the said amount, they issued a cheque, which was dishonoured when the de facto complainant deposited the same. The truth or otherwise of the above said allegations can be ascertained during enquiry. Therefore, this Court is not inclined to interfere with the proceedings against the petitioners.

At this stage, the learned Counsel for the petitioners submitted that due to the pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the police.

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 petitioners. In the event of necessity, the police concerned are directed to issue notice to the petitioners for their appearance before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners shall appear before the investigating agency and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

March 15, 2016.

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