

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4049 OF 2016

ORDER:

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This petition is filed by the petitioner-accused No.5 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.38 of 2016 on the file of Nereducherla Police Station, Nalgonda District, registered for the offence punishable under Section 379 IPC and Section 3 of PDPP Act.

Heard and perused the material available on record.

It is alleged that the petitioner was found transporting sand illegally. Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to grant the relief sought by the petitioner.

At this stage, the learned Counsel for the petitioner submitted that due to pendency of the above crime, the petitioner apprehends arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, the 1st respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioner-A5. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioner for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating officer and give an undertaking as to his future appearance as and when required by the investigating agency for the purpose of investigation.

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

JUSTICE RAJA ELANGO

Date : 23.3.2016

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DATED 23.3.2016

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