

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5275 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/A-2 in Crime No.51 of 2016 of Keshavapatnam Police Station, Karimnagar District, registered for the offences punishable under Sections 420, 448, 427 and 506 read with Section 34 IPC.

Heard and perused the material on record.

It is alleged in the complaint that since last 10 years in the family of the 2nd respondent/de facto complainant his father and brothers died and his health condition is not good since last two months and when he contacted his relative by name Balasani Ravi regarding his health condition, he brought one Vanga Srinivas, resident of Keshavapatnam to his old house at Molungur stating that as there were treasure trove in the said house and it is removed, his health condition will be good, otherwise he would die within two months. Believing his words, the de facto complainant paid an amount of Rs.5,000/- for expenses to the said Ravi, upon which, on 30-04-2016 at about 8.00 P.M. the said Ravi brought six persons to dig and they dug about 5 meters depth in the kitchen. As there was no result, when the de facto complainant questioned them why they are damaging his house, they threatened to kill him and thereby cheated and caused loss to the de facto complainant.

Having regard to the facts and circumstances of the case, since the matter is under investigation into the alleged crime, this Court is of the view that it is not a fit case to interfere with the proceedings at the investigation stage. Whether the petitioner/A-2 has committed the alleged crime or not is a matter to be decided by the investigating agency. However, if there is any apprehension of arrest, the petitioner/A-2 is always at liberty to approach appropriate forum for appropriate relief, and hence, the criminal petition is liable to be dismissed.

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

RAJA ELANGO, J

Date: 18-04-2016

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