

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1916 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner-accused No.1 seeking to quash the proceedings in FIR No.113 of 2014 of Musunur Police Station, Krishna District, registered for the offence punishable under Section 447 and 379 IPC.

Heard and perused the material available on record.

It is alleged that the petitioner took away the vehicle of the de facto complainant i.e. TATA Safari car bearing No.AP 21 AB 4999, without his permission and did not return the same.

Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against him and that the de facto complainant kept the vehicle with one Jagadish on condition of paying Rs.10,000/- per month to him and the said Jagadish pledged the vehicle with a financier at Hyderabad and after lodging a complaint, the police Musunur have taken away the vehicle and kept it in the police station and that the de facto complainant without disclosing these facts, filed a false complaint against the petitioner.

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.

At this stage, learned counsel for the petitioner submitted that in view of the pendency of the above crime, the petitioner apprehends arrest and also the harassment in the hands of the

police.

In view of the above submission, the police concerned are directed to complete the investigation without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the Investigating Agency as and when his presence is required, and cooperate with the Investigating Agency.

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

RAJA ELANGO, J

February 17, 2016.

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