

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1912 OF 2016

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ORDER:
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1. This Criminal Petition is filed by the petitioner under Section 482 of Code of Criminal Procedure seeking to quash the proceedings against him in Crime No.3 of 2016 on the file of Nindra Police Station, Chittoor District, registered for the offence punishable under Sections 409, 468 and 471 r/w 34 IPC.

2. Heard the learned Counsel for the petitioner-accused and the learned Public Prosecutor and perused the material available on record.

3. It is alleged in the complaint that one Shaffi Ahmed, Senior Assistant had irregularly withdrawn the GPF amount from the staff account and committed misappropriation of the Government funds and tampered the office records and also forged the signature of the Medical Officer/DDO, PHC, Nindra i.e., the petitioner and the petitioner was very negligent and he has not properly discharged his duties.

4. Learned Counsel for the petitioner submitted that even as per allegations in the complaint, the other accused forged the signature of the petitioner and committed the crime and that the other accused has already paid the amount, which was misappropriated by him.

5 This Court is of the view that the above grounds submitted by the learned Counsel for the petitioner are to be verified by the investigating agency. Therefore, this Court is not inclined to interfere with the investigation in the above crime.

6. At this stage, the 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 respondent-police.

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

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

JUSTICE RAJA ELANGO

Date: 18.2.2016

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