

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1981 OF 2016

-

ORDER:

-

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner/accused No.4 seeking to quash the F.I.R.No.493 of 2015 of Kancharapalam Police Station, Visakhapatnam, registered for the offence under Sections 417, 468 and 471 I.P.C.

Heard the learned counsel for the petitioner/accused and the learned Public Prosecutor and perused the material available on record.

Admittedly, the petitioner has already obtained anticipatory bail. While granting of anticipatory bail, it is observed in the order by the learned Sessions Judge as follows :

“As could be seen from the contents of the petition and other material placed before the Court i.e., case diary and proceedings of Municipal Corporation, the dispute in between the de facto-complainant and the petitioners / A3 to 6 is entirely civil in nature. The provisions which were levelled against the petitioners / A3 to 6 not attracted the allegations of the de facto-complainant. Hence, I am inclined to grant bail to petitioners / A3 to A-6.”

On the said ground, the learned counsel for the

petitioner prayed this Court to quash the proceedings.

In the facts and circumstances and also as the petitioner has already obtained anticipatory bail, the Investigation Agency is directed to complete the investigation on or before 15-04-2016 and to file final report. On such filing of the final report, if the petitioner is aggrieved over the same, the petitioner is at liberty to approach this Court for the appropriate remedy.

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

JUSTICE RAJA ELANGO

17.02.2016

skmr