THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3754 OF 2016

ORDER:

This petition is filed by the petitioners-accused Nos.4 and 5 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.122 of 2015 on the file of III-Town Police Station, Kakinada, East Godavari District, registered for the offences punishable under Sections 408 and 420 IPC.

It is alleged that the petitioners, in collusion with the other accused, swallowed the amounts to a tune of about Rs.30,00,000/- by using the singed blank cheques of the de facto complaint-1st respondent, who is the owner of Sona Shopping Mall, Kakinada. The truth or otherwise of the above said allegations can be ascertained during enquiry. Therefore, this Court is not inclined to interfere with the investigation against the petitioners.

At this stage, the learned Counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them, that A1 is the son of the 1st petitioner and brother of the 2nd petitioner and A1 was already arrested and remanded to judicial custody and basing on his confessional statement only, the names of the petitioners were added as accused and that the 1st petitioner is aged person and is not able to move due to partial paralysis.

In view of the above submission, this Court is inclined to pass the following order:

The petitioners are directed to surrender before the police concerned on or before 30.03.2016 and on such surrender, they shall be released on their executing personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with one surety for the like sumz each to the satisfaction of the Station House Officer concerned. The petitioners are further directed to appear before the investigating agency on every day between 10.00 and 5.00 p.m., for a period of (10)

days.

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

RAJA ELANGO, J

March 21, 2016.
KTL