

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4269 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/accused seeking to quash the proceedings in Crime No.79 of 2015 on the file of Kaikaluru Town Police Station, Krishna District.

2. Heard and perused the material available on record.
3. The offence alleged against the petitioner is punishable under Section 409 I.P.C.
4. As per the complaint lodged by the *de facto* complainant, the allegation against the petitioner is that he, being the President of Kaikaluru Kalidindi M.P.P. Teachers Cooperative Credit Society Limited, misappropriated an amount of Rs.10,58,499.25ps. Admittedly, after the enquiry conducted by the competent authority, the petitioner has deposited Rs.1,00,000/-. The entire case is based on documents. 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.
5. At this stage, learned counsel for the petitioner submitted that in view of the pendency of the above crime, the petitioner is apprehending arrest and also harassment in the hands of police.
6. In view of the above submission, the police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the police are directed to issue notice to the petitioner for his appearance before the

Investigating Agency for the purpose of investigation. On issuance of such notice, the petitioner shall appear before the Investigating Agency and give an undertaking as to his future appearance as and when required by the Investigating Agency for the purpose of investigation.

7. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

29.3.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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AMD