

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3621 OF 2016

ORDER:

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This petition is filed by the petitioner-accused No.4 under Section 482 Cr.P.C. seeking to quash the proceedings in Crime No.191 of 2015 on the file of Lalapet Police Station, Guntur Urban, Guntur District, registered for the offences punishable under Sections 417, 419, 420 & 463r/w.120 IPC.

Heard and perused the material available on record.

The allegations against the petitioner, who is a Branch Manager of the Lakshmi Vilas Bank Limited, is that he colluded with the other three accused with an intention to grab the property of the 2nd respondent – de facto complainant, created false documents as if the de facto complainant mortgaged the documents of his property in the Bank.

A perusal of the record and also the petition filed by the petitioner herein, it is evident that the petitioner lent loan to the other accused on the basis of the documents filed by the de facto complainant and it is also stated in the petition that the petitioner is ready to prove the fact by way of producing all the documents which clearly indicates that the de facto complainant, on his own, deposited the title deeds as a guarantor, to the loans granted to the other accused and the de facto complainant in order to defeat the interest of the bank, since it filed cases invoking the provisions under the provisions of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, the present complaint is lodged.

Considering the above facts and circumstances of the case, this Court is not inclined to interfere with the proceedings against the petitioner. At this stage, the learned Counsel for the petitioner submitted that due to the pendency of the above crime, the petitioner apprehends arrest and harassment in the hands of the police.

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 concerned 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.

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

RAJA ELANGO, J

March 17, 2016.

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