

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.12631 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against petitioner/accused in F.I.R.No.313 of 2016 of Gajuwaka Police Station, Vusakhapatnam, registered for the offences punishable under Sections 43, 66 and 66-B of Information and Technology Act, 2000-2008.

Heard and perused the material available on record.

A perusal of the material on record reveals that specific allegations were made against the petitioner. The truth or otherwise of the allegations can only be decided during course of trial. I see no ground to interdict at this stage and quash the proceedings.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner that petitioner/accused is apprehending his arrest in view of the pendency of the above crime, the police concerned are directed to complete the investigation into the crime without arresting the petitioner/accused and file the final report, if any, in accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to petitioner/accused requiring him to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioner/accused 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.

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

M.S.K.JAI SWAL,J

Date: 06.09.2016
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