

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5010 OF 2016

ORDER:

This petition is filed by the petitioner-accused No.5 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.67 of 2016 on the file of Anantapur II Town Police Station, Anantapur, registered for the offence punishable under Sections 107, 120-B, 420, 421, 423, 425, 447, 468, 474 and 511 r/w 34 IPC.

Heard and perused the material available on record.

It is alleged that A1 sanctioned Rs.8 lakhs to the 2nd respondent-de facto complainant basing on textile stock in shop and took the sale deed of immovable property as collateral purpose. When the de facto complainant asked sale deed after discharge of the loan amount, A1 did not return the same. A1 and A2 conspired and knocked away the property of the de facto complainant for low price.

Learned Counsel for the petitioner submitted that the petitioner purchased the property in a public auction and he is a genuine purchaser and he was falsely implicated in the above crime.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to interfere with the investigation in the above crime. However, the 1st respondent-police are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue a notice to the petitioner to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating agency and give an undertaking as to his future appearance as and when required for the purpose of investigation.

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

JUSTICE RAJA ELANGO

Date : 12.4.2016
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DATED 12.4.2016

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