

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION NO.6090 OF 2012

ORDER:

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This Criminal Petition under Section 482 of Cr.P.C. is filed the accused to quash the proceedings in Crime No.48 of 2010 on the file of Sodam Police Station, Chittoor District for the offences under Sections 506, 342 r/w 34 IPC.

Today, when the matter is taken up for hearing, learned counsel for the petitioner informed that the other accused who are the employees of M/s.SKS Microfinance Ltd., were tried by the trial Court and were acquitted of the charges and that the petitioner herein, who is the Managing Director and C.E.O. of said firm is in a better footing than that of the other accused.

Heard and perused the material available on record.

It is the case of the complainant-second respondent herein that on 13/10/2010, A.3, who is the employee of petitioner herein, forcibly confined her in her house for non-payment of loan amount availed by her. The offences alleged are under Sections 506, 342 r/w 34 IPC, but it is not the case of the complainant that the petitioner herein was present at the time of occurrence. Even if the entire allegations in the complaint are admitted to be true, no prima facie case is made out against the petitioner herein. Further on the basis of the very same allegations, trial was conducted against the other accused, who are alleged to have detained and threatened the complainant and they were acquitted by the trial Court. In view of the same, no purpose would be served in continuing the impugned proceedings against the petitioner herein and the same are liable to be quashed.

In the result, the Criminal Petition is allowed and the proceedings in Crime No.48 of 2010 on the file of Sodam Police Station, Chittoor District are hereby quashed as against the petitioner herein.

Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

08th August, 2016
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