

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.12973 OF 2016

ORDER:

This petition is filed by the petitioner under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.199 of 2016 on the file of Balanagar Police Station, Mahaboobnagar District, registered for the offences punishable under Sections 379 IPC, 21(1) of MMDARA and 3 of PDPPA.

Heard and perused the material available on record.

The petitioner is owner of vehicle bearing No.AP 16 TB 8441. It is alleged that on 30.07.2016, while the police are conducting patrolling duty, they found the vehicle of the petitioner coming from Jadcherla along with Sand load. Then they stopped the vehicle and asked the driver to produce permits. By saying that he would produce the permits, the driver of the vehicle escaped from that place. The police registered a case in Crime No.199 of 2016 for the above said offences and took up the investigation.

Learned counsel for the petitioner submitted that the petitioner is innocent of the offences alleged against him and he has been falsely implicated in the case and the petitioner never involved in transporting sand illegally.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to grant the relief sought by 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 1st respondent-police.

In view of the above submission, 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 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.

September 02, 2016.

KTL/NN

JUSTICE RAJA ELANGO



CRIMINAL PETITION No.2756 OF 2016

DATED 8.3.2016

Nh

