

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7165 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioners/accused seeking to quash the proceedings in Cr.No.29 of 2016 of Dharmaram Police Station, Karimnagar District, registered for the offences punishable under Sections 406, 409 and 420 IPC, against them.

2. The MPDO, Dharmaram, filed a complaint on 11.03.2016 stating that during the period between 2012 and 2015, all the accused being ICICI Bank employees and other employees of Fino company did not pay the labour charges to the labourers of Upadihami Pathakam in Dharmaram Mandal even though they have collected an amount of Rs.1,87,433/- from the Government through FTO, thereby cheated the labourers and the Government in fraudulent manner.

3. Heard and perused the material on record.

4. Learned counsel for the petitioners represented that in the same crime, the relief was granted to A3 and A4 and as the petitioners herein are similarly situated persons, same relief may be granted to them.

5. As per the complaint, there are certain allegations against the petitioners and truth or otherwise of the said allegations can be ascertained by the investigating agency during the course of investigation. Therefore, this is not a fit case to quash the proceedings impugned. However, the police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioners/accused, namely, Mahipal Reddy, Venkateshwarlu, Kiran Kumar, Shiva Kumar and V. Ravinder. In the event of necessity, the police are directed to issue notice to the petitioners for their appearance before the Investigating Agency for the purpose of investigation. On issuance of such notice, the petitioners shall appear

before the Investigating Agency and give an undertaking as to their future appearance as and when required by the Investigating Agency for the purpose of investigation. Further, after obtaining permission from the Superior Officer, the police are directed to file one charge sheet regarding the entire allegations in connection with distribution of amounts by the petitioners.

6. With the above direction, the Criminal Petition is disposed of. Miscellaneous applications, if any, pending in this petition shall stand closed.

M.S.K.JAISWAL,J

3rd June, 2016

sj