

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3948 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.79 of 2016 on the file of Bhavanipuram Police Station, Vijayawada, registered for the offence punishable under Sections 474, 384 and 506 IPC.

Heard and perused the material available on record.

It is alleged that the 2nd respondent-de facto complainant borrowed Rs.50,000/- from the petitioner and gave him blank promissory notes, cheques and ATM Card and subsequently, she came to know that the petitioner is regularly drawing Rs.3,000/- per month from ATM towards interest. She blocked the ATM and she used to pay interest regularly every month. Even though she repaid the entire amount, he did not return her promissory notes and he is saying that she has not discharged the entire amount.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioner submitted that due to 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, in accordance with law, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioner for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating officer 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 pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.3.2016

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DATED 22.3.2016

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