

THE HON'BLE SRI JUSTICE RAJA ELANGO

Crl.P.No.6251 of 2016

ORDER

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This criminal petition is filed by the petitioner-A2 under Section 482 Cr.P.C., seeking to quash the proceedings against him in Cr.No.458 of 2015 of II Town Police Station, Karimnagar, registered for the offences punishable under Sections 120-B, 448, 420, 506 r/w 34 IPC and under Sections 3 and 5 of Money Lending Act, against him.

2. Heard and perused the material on record.

3. The case of the prosecution is that the de facto complainant approached A2 for want of money to meet the hospital expenses of her husband and he arranged loan through A1. Since she was unable to pay the interest in time, all the accused came to her house on 06.11.2015, trespassed into her house and threatened her to leave the house and forcibly necked out her family from the house. Based on the complaint, the aforesaid crime was registered against the accused.

4. Learned counsel for the petitioner submitted that the petitioner was initially arrested on 19.11.2015 in Cr.No.27 of 2015 of CID Police Station, Hyderabad, for the offences punishable under Sections 120-B, 386, 420 and 506 r/w 34 IPC and under Section 25(2) of Arms Act and Sections 3,5(a)(b) of A.P.Money Lenders Act and produced before the Court and thereafter, he was released on bail since the police failed to file charge sheet within the statutory period. He further submits that though the present crime is pending before the same police station where the other

cases are pending in the same District, the police ought to have produced the petitioner on PT warrant before the Court concerned for remand and now, the police are trying to arrest him.

5. In view of the above submissions, the police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner/A2. In the event of necessity, the police concerned 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.

6. With the above directions, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending in this petition shall stand closed.

RAJA ELANGO, J

26th April, 2016

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