

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4665 OF 2016

ORDER:

This Criminal Petition is filed by the petitioner-accused No.3 under Section 482 Cr.P.C., seeking to quash the proceedings against him in Crime No.27 of 2016 on the file of II Town Police Station, Chirala, Prakasam District, registered for the offence punishable under Section 420 IPC.

Heard and perused the material available on record.

It is alleged that the 2nd respondent paid an amount of Rs. 2 lakhs on 7.10.2012 and Rs.13 lakhs on 9.10.2012 to the accused as they gave assurance that they will allot a house flat and hand over the same in April, 2012. But the accused did not hand over the flat as promised.

Considering the facts and circumstances of the case and the allegations made against the petitioner, 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 pendency of the above crime, the petitioner apprehends arrest.

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 a 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 : 4.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 4.4.2016

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