

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3502 OF 2016

ORDER:

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This petition is filed by the petitioners-accused under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.18 of 2016 on the file of Makkuva Police Station, Vizianagaram, registered for the offences punishable under Sections 406, 409, 420, 465, 468, 471, 477-A and 120-B r/w.34 IPC.

Heard and perused the material available on record.

It is alleged that the petitioners, along with the other accused, misappropriated the funds of the Primary Agricultural Cooperative Society, Chemudu.

Learned counsel for the petitioners submitted that the petitioners are employees of the DCCB and they are innocent of the offences alleged against them and only on production of the certificates produced by A1 and A2, loans were granted and that A1 himself given statement before the Enquiry Officer that he is solely responsible for the fraud committed in the PACS.

Considering the facts and circumstances of the case and also in view of the submission of the learned counsel for the petitioners, the police concerned are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the police concerned 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.

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

March 15, 2016.
KTL

RAJA ELANGO, J