

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.1926 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioner-accused seeking to quash the proceedings in FIR No.45 of 2016 on the file of Eluru Rural Police Station, West Godavari District, registered for the offences punishable under Sections 406 and 420 IPC.

Heard and perused the material available on record.

It is alleged that the petitioner collected huge amount from the villagers by making them to believe that he would give interest at higher rate and thereafter, he did not pay the interest and also absconded from the village.

Even though it seems that the allegations are so serious in nature, the fact remains that the petitioner has already filed IP, in which he has shown the de facto complainant as one of the person to whom he has to pay money and that some properties were also attached. Learned counsel for the petitioner submitted that the petitioner never intend to breach the trust, but due to financial problems, he could not able to repay the money and that the he is apprehending arrest in view of the pendency of the above crime and he is ready to cooperate with the investigation.

Having regard to the facts and circumstances of the case and also in view of the nature of offence alleged against the petitioner, this Court is not inclined to interfere with the investigation of the case. However, in view of the submission of the learned counsel for the petitioner that the petitioner is apprehending arrest in view of the pendency of the above crime, the police concerned are directed to complete the investigation

without arresting the petitioner and file final report in accordance with law. The petitioner is directed to appear before the Investigating Agency as and when his presence is required, and cooperate with the Investigating Agency.

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

RAJA ELANGO, J

February 17, 2016.

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