

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.2033 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings initiated against the petitioner/accused in Crime No.1 of 2016 of I Town Police Station, Nalgonda Town, Nalgonda District registered for the offences punishable under Sections 370 (1) (2) & (3) and 420 IPC read with Section 120-B IPC and Sections 18 and 19 of A.P. Transplantation of Human Organ Act, 1995.

Heard the learned counsel for the petitioner and the learned Public Prosecutor.

Admittedly, a case was registered for the offences punishable under Sections 370 (1) (2) & (3) and 420 IPC read with Section 120-B IPC and Sections 18 and 19 of A.P. Transplantation of Human Organ Act, 1995 against some persons who indulged in transplantation of human organs and during the course of investigation, the petitioner was issued notice under Section 41 A Cr.P.C. in the above crime directing to appear before the investigating agency to ascertain the facts in the alleged crime. Whether the petitioner is involved in the alleged crime or not is a matter to be decided by the investigating agency and the same cannot be decided at the threshold.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged in the above crime are serious in nature, this Court is not inclined to interfere with the proceedings in the above crime. However, in view of apprehension of the petitioner that he will be arrested in the above crime, the Police of Nalgonda I Town Police Station, Nalgonda, are

directed to complete investigation without arresting the petitioner and file the final report, if any, in accordance with law. The petitioner is directed to appear before the Investigating Agency without fail as and when his presence is required for the purpose of investigation and cooperate with the Investigating Agency. If the petitioner fails to appear and cooperate with the investigating agency, as directed above, the police are always at liberty to approach this Court to recall the present order.

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

RAJA ELANGO, J

Date: 08-03-2016

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