

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6947 OF 2016

ORDER:

This petition is filed by the petitioner-A9 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.78 of 2016 on the file of Machavaram Police Station, Vijayawada City, registered for the offence punishable under Sections 120-B, 408, 420, 467, 471 and 477(A) IPC.

Heard and perused the material available on record.

It is alleged that one Rajesh and Avinash were joined as Director and shareholder respectively in the company of the 2nd respondent. The 2nd respondent entrusted entire accounts and business to them. In the year 2013, they introduced one Smt. Movva Uma by representing that she will arrange funds for the business of the 2nd respondent. For the purpose of security, the said Rajesh and Avinash obtained blank promissory notes and blank cheques from the 2nd respondent as security. Subsequently, the 2nd respondent and her husband came to know that the said Rajesh and Avinash played fraud against them and misappropriated funds of the company and they obtained loan from S.B.H and mortgaged the property of the daughter of the 2nd respondent. Further, the said Rajesh and Avinash taking advantage of the possession of the blank signed cheques, promissory notes and other papers, got filed suits against the 2nd respondent and her family members through the petitioner and others.

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 him. However, the 1st respondent-police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue a notice to the petitioner to appear before the investigating agency for the purpose of

investigation. On issuance of such notice, the petitioner is directed to appear before the investigating agency and give an undertaking as to his future appearance as and when required 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 : 29.04.2016
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DATED 29.4.2016

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