

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.968 of 2017

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against her in Crime No.48 of 2015 on the file of the 2nd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered in the year 2015 for the offence under Sections 147, 148, 120-B, 385,386, 109 r/w 149 IPC and Sections 25(i) (a) and 27 of the Arms Act and Sections 3 and 4 of the Explosive Substances Act, 1908 alleging that the petitioner along with other accused collected nearly Rs.4 lakhs from business establishments by showing the weapons and all the accused used to threaten the business people with dire consequences with the revolver.
4. Learned Counsel for the petitioner submitted that the petitioner was falsely implicated in the above crime.
5. Considering the facts and circumstances of the case, this Court is not inclined to grant the relief sought by the petitioner. However, the 2nd respondent-police concerned are directed to issue notice under Section 41-A Cr.P.C. to the petitioner by following the judgment of the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹,
6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 6th January, 2017
Nn/Tsr

¹ MANU/SC/0559/2014=2014(8) SCALE 250

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