

**THE HON'BLE DR. JUSTICE SHAMEEM AKTHER**

**CRIMINAL PETITION No.372 of 2017**

**ORDER:**

Heard learned counsel for petitioner and respondent No.2 and learned Public Prosecutor for the State and perused the record.

Learned counsel for the petitioner would submit that correct name of the petitioner is Patha Mallaiah but respondent No.2 mentioned the name of the petitioner wrongly as Maddi Mondaiah. Learned counsel would also submit that the petitioner has been working in Singareni Collieries from more than 36 years and at the fag end of his retirement, a report is lodged by respondent No.2 alleging that correct name of the petitioner is Maddi Mondaiah, Caste Golla, who received his interview call letter and sought employment in Singareni Collieries.

As per the records available, respondent No.2 lodged a report against the petitioner that having taken his call letter, the petitioner appeared in the interview and sought employment in Singareni Collieries.

There is an allegation of commission of cheating against the petitioner and it requires investigation. Therefore, investigation can be proceeded with. As seen from the record, a

report is lodged after 36 years of alleged commission of offence. Therefore, the police shall not arrest the petitioner/accused till filing charge sheet.

With the above direction, this Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

13<sup>th</sup> OCTOBER, 2017.

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**Dr. SHAMEEM AKTHER, J**

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