

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9354 OF 2017

ORDER:

Heard learned counsel for the petitioner/accused of Crime No.431 of 2017, pending on the file of Mancherial Police Station, registered for offences punishable under Sections 323 and 506 IPC and 3(1)(s) of SC/ST POA Amended Act, 2015 and also heard the learned public prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent – defacto complainant and perused the grounds urged in the quash petition and the contents of the FIR.

2. Undisputedly, even from the contents as also pointed out by counsel for petitioner/accused not in dispute from the investigation by the learned public prosecutor. It is within the credit auto transaction between the accused and the complainant. What the accused allegedly questioned without money how he could purchase by payment of Rs.10,000/- advance for Rs.85,000/- value of 2013 model auto, for the proposed financier want to lend only by advance Rs.40,000/- and not remaining value of Rs.75,000/-. It is in that course, the complainant alleged about the accused caught hold of his shirt, torned the same and slapped him and threatened, which is the substance of the acquisition.

3. Having regard to the above, there is nothing to interdict the investigation, however, pending investigation, the petitioner shall not be arrested. It is made clear that this order will not prevent the

police to secure his presence for purpose of investigation as and when required.

4. Accordingly and with the above direction, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

09.10.2017
SS

