

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No. 11253 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings in Cr.No.46 of 2010 dated 01.10.2010 of Tirumala II Town Police Station, Chittoor District.

2. Heard the counsel for the petitioner and the Public Prosecutor, who took notice for the respondents.

3. The counsel for the petitioner contends that except a bare allegation that the petitioner herein was selling Arjitha Seva Tickets at the behest of A2, there are no other allegations against him.

4. A perusal of the complaint, which is lodged by the Assistant Vigilance and Security Officer, Tirumala, shows that the role of this accused is specifically mentioned under the said head. It is stated that this petitioner is a Personal Assistant to a Board member and at the beginning he was paying Rs.4,000/- per month and later he used to pay Rs.75,000/- to the Board Member out of the income of selling Arjitha Seva tickets. Hence, how far this petitioner is responsible for sale of the tickets and whether this petitioner is selling the tickets at the behest of A2 and whether he has been benefited from the same, is a matter, which has to be gone into at the time of trial.

5. This Court considers that this is not a fit case for quashment. However, the submission of the petitioner's counsel

that the arrest of this petitioner may be stayed can be considered. The police are directed not to arrest the petitioner, unless it is very much necessary in the proceedings and they may file an appropriate petition for arrest of the petitioner before the court below when they feel it necessary.

6. With the above observations, the Criminal Petition is disposed of.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

November 6, 2017
LMV



T. RAJANI, J