

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1486 OF 2017

ORDER:

The present petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/Accused Nos.1 and 2 requesting to quash the First Information Report in Crime No.94 of 2016 of Kaikaluru Town Police Station, Krishna District.

The petitioners alleged to have committed the offence punishable under Section 420 read with 34 IPC.

Sri B.S.S.Prasad, learned counsel for the petitioners, would plead the innocence and false implication of the petitioners. He would submit that Accused No.3 viz., Nuruddin Shaik, retired V.R.O. of Kaikaluru Village, is the linchpin who has collected the amounts from the *de facto* complainant and others and got the petitioners falsely implicated, taking undue advantage of the fact that they approached him, in connection with their land issue, for some clarification.

Even a glance at the complaint averments would reflect the allegations *prima facie* pointing out the complicity of the petitioners in the commission of offence of cheating punishable under Section 420 read with 34 IPC. It is needless to mention that the complaint allegations would clearly show that Accused No.3 was introduced by the petitioners, who, in fact, collected amounts, and pretending that

Tirumala Tirupati Devasthanam has been conducting exam, the petitioners along with Accused No.3 have taken the *de facto* complainant and some others to a lodge and even conducted an examination there and, having taken their certificates, left them there misrepresenting that they would bring appointment letters and, later on, stating that the officials of vigilance department came, they threatened them to leave the place. When looked into the allegations in the complaint, it is not a case where abuse of process of law can be viewed, as contended by learned counsel for the petitioners.

Accordingly, the Criminal Petition is dismissed at the stage of admission itself.

Miscellaneous applications, if any pending in this criminal petition, stand closed.

22nd February, 2017
v v

A. SHANKAR NARAYANA, J

