

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2217 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. to quash the proceedings in S.C.No.2 of 2015 on the file of the Principal District & Sessions Judge, Kadapa.

2. Heard the learned counsel for the petitioner/accused No.3, the learned Assistant Public Prosecutor representing the respondent No.1-State and perused the record.

3. As seen from the material on record, the petitioner/A.3 is the Executive Director of Mythri Plantation and Horticulture Private Limited. There is also an allegation that this petitioner running a Finance store. Accused No.1 is the Managing Director of Mythri Plantation and Horticulture Private Limited. There are allegations of this petitioner along with other accused indulging in financial dealings constituting offence under Section 5 of the A.P. Protection of Depositors of Financial Establishment Act, 1999. There are also allegations constituting offences under Sections 406 and 420 I.P.C.

4. This petitioner has filed Discharge application before the Court of Session and the same was dismissed by order dated 12.01.2018 in Criminal M.P.No.2390 of 2017, wherein the Court below had elaborately dealt with the contentions put forth and also stated that the Court need not go into the deep of the allegations, if it satisfied that there is a *prima facie* case exists and it can proceed with the prosecution case by framing appropriate charges.

5. Under those circumstances, the continuation of the criminal proceedings against the petitioner/A.3 for the offences alleged is not an

abuse of process of law. The criminal petition is devoid of merit and is liable to be dismissed.

6. Accordingly, this Criminal Petition is dismissed. In case of any exigency, the petitioner/A.3 can file an appropriate application to dispense with his personal attendance on that day. Miscellaneous petitions, if any pending in this Criminal Petition, shall also stand dismissed.

Dr. SHAMEEM AKTHER, J

Date: 26-02-2018

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