

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No. 7324 OF 2013

ORDER :

This Criminal Petition is filed under Section 482 of Cr.P.C., seeking to quash the Proceedings in C.C.No. 92 of 2012 on the file of the Court of Principal Judicial Magistrate of First Class, Siddipet, Medak district, which is registered for the offences punishable under section 420 and 506 of I.P.C. and Section 2 [C] of Prize Chits and Money Circulation [Banning] Act, against the petitioner/A-2.

2. Heard the learned counsel for the petitioner/A-2 and the learned Public Prosecutor appearing for the first respondent/State. None appears for the second respondent in spite of notice.

3. The counsel for the petitioner/A-2 submits that this petitioner is the Managing Director, who resides at Hyderabad, Whereas the entire transaction took place at Siddipet and A-1 is the person who takes care of the transactions pertaining to the Chit Fund Company at Siddipet. He also draws attention of this Court to the complaint, wherein the allegations are made against A-1. The only allegation against this petitioner/A-2 is that he supervises the branch of Chit Fund Company. The counsel for the petitioner also submits that the complainant has given a letter dated 22/05/2012 stating that since he is not able to furnish the sureties, he can transfer the chit to some other members. But however, the said letter being a manuscript, which is not authentic cannot be relied upon but going by the allegations made in the complaint it can be said that no case is made out against this petitioner/A-2.

4. Hence, in view of the above, this Court opines that further proceedings in C.C.No. 92 of 2012 on the file of the Court of Principal Judicial

Magistrate of First Class, Siddipet, Medak district, against the petitioner/A-2 would result in abuse of process of law.

5. Hence, the Criminal Petition is allowed and further proceedings against the petitioner/A-2 in C.C.No. 92 of 2012 on the file of the Court of Principal Judicial Magistrate of First Class, Siddipet, Medak district are quashed.

6. As a sequel, miscellaneous petitions if any, pending in this criminal petitions stand disposed of.

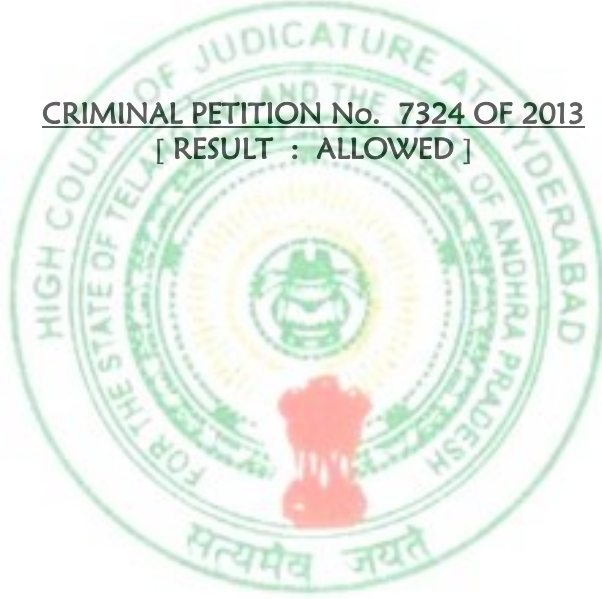
JUSTICE T. RAJANI



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CRIMINAL PETITION No. 7324 OF 2013
[RESULT : ALLOWED]



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