

SMT. JUSTICE T. RAJANI

CRIMINAL PETITION No.9451 OF 2011

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners - accused Nos.1 and 3 seeking to quash the proceedings in Crime/FIR No.52 of 2011, dated 18.09.2011 of Tallapudi Police Station, West Godavari District, Andhra Pradesh State, registered for the offences punishable under Sections 420, 465, 468 and 471 read with 34 of the Indian Penal Code, 1860.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State of Andhra Pradesh appearing for both the respondents.

3. The complaint shows that the petitioners herein have withdrawn the loan amounts pertaining to the actual beneficiaries, by creating false documents.

4. The learned counsel for the petitioners submits that, in fact, the actual beneficiaries have received the loan amounts. But, there is no evidence with regard to the said contention and the said fact has to be decided only after due inquiry.

5. Hence, considering the above, the present Criminal Petition is dismissed. However, the police are directed not to arrest the petitioners without following the procedure under Section 41A of the Code of Criminal Procedure.

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition stand closed.

SMT. T. RAJANI, J

November 16, 2018
Mgr

