

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.75 of 2015

ORDER:

The petitioners/accused Nos.2 to 8 are seeking quashment of proceedings in Crime No.282 of 2014 of Chityal Police Station, Warangal District. On the report given by the *Defacto complainant* namely Kappala Sandhya Rani against the present petitioners and A.1 making allegations for the offences punishable under Sections 417, 420, 323 and 506 r/w 34 of IPC, the police registered the crime and investigating the matter.

Learned counsel for petitioners submits that even assuming complaint allegations are true, they are aimed at accused No.1 only and the present petitioners, who are accused No.2 to 8, have nothing to do with the alleged cheating said to be committed by the accused No.1 against the complainant. On these pleas, they sought for quashment of the proceedings.

A perusal of complaint allegations would show that the complainant stated that the first accused married her and they both lived for about one year and that he brought her to his village and the present petitioners, who are his family members and other village elders, attacked and beat her and threatened her to leave the first accused. As there is *prima facie* accusation against the present petitioners also, it is not a fit case to order quashment of the proceedings at this stage. This Court is of the considered view that the investigation will reveal the true facts on completion. Therefore, the investigation shall continue. However, considering that the petitioners/Accused No.2 to 8 allegedly played only second fiddle in the crime and also considering that some of the petitioners/accused are women, police can be directed not to arrest them.

In the result, this Petition is dismissed with a direction that the police shall continue the investigation to his logical end. However, during the course of investigation, they shall not arrest the petitioners/ Accused No.2 to 8. The petitioners are directed to cooperate with the investigating agency for smooth completion of investigation.

As a sequel, Miscellaneous Petitions pending in this Criminal Petition, if any, shall stand closed.

U.DURGA PRASAD RAO,J

20-01-2015

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Dt. 20.01.2015

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