

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO
CRIMINAL PETITION Nos.5151 and 5157 of 2015

COMMON ORDER :

These Criminal Petitions are filed by the Petitioners/A-2 and A-1 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.46 of 2015 of Parkal Police Station, Warangal District. The crime registered for the offences punishable under Sections 290, 323, 419, 420, 421, 468, 471, 504 and 506 read with Section 34 IPC outcome of private complaint that was referred by the Magistrate to the police under Section 156(3) Cr.P.C.

Heard learned counsel for the petitioners as well as 2nd respondent-State represented by Public Prosecutor before admission and before notice to 1st respondent-defacto complainant.

It is the contention that most of the offences are barred by limitation but for if at all section 420 and 468 IPC committed, even from the very private complaint averments and no ingredients of Section 468 and 420 IPC attracts. The investigation is in progress. Undisputedly, the material filed infact falls short to admit and accordingly, disposed of giving liberty to the petitioners to surrender before learned Magistrate concerned and move for regular bail with notice to the Public Prosecutor concerned and in such an event, the learned Magistrate shall grant bail with necessary conditions on the same day as they are public servants any custody beyond 48 hours they lose job. Needless to say pending investigation their presence can be dispensed with. It is in the event of police filing report under Section 173 Cr.P.C. and on the Magistrate taking cognizance of any offence, the remedy is left open to the petitioners.

With the above observations, the Criminal Petitions are disposed of. As a sequel, miscellaneous petitions pending, if any, in these criminal petitions shall stand closed.

Dr. B. SIVA SANKARA RAO, J

23.06.2015
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