

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THURSDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9338 of 2015

Between:

Syed Julfikar and 2 others

..... PETITIONERS/A1 to A3

AND

The State of Andhra Pradesh,
Rep.by its Public Prosecutor,
High Court at Hyderabad and another

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.9338 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in Cr.No.48 of 2015 on the file of Nandalur Police Station, Y.S.R.Kadapa District, registered for the offences punishable under sections 342, 353, 188, 506 r/w.Sec.34 IPC.

Heard the learned counsel for the petitioners/A1 to A3 and the learned Additional Public Prosecutor, representing the State.

It is alleged that one Syed Maqbool of Nagireddypalli village, on the pretext that the revenue officials did not take any action on his petition and did not issue any patta, climbed Airtel Cell Tower at Aravapalli and jumped from it and committed suicide. The kith and kin of the deceased gathered there and the DSP and the RDO promised them to do justice. After post mortem, the petitioners along with others came to the police station and raised slogans and the petitioners/A1 to A3 restrained the *de facto* complainant/police constable from discharging his legitimate duties and confined him in a room and abused the police officials and revenue officials in filthy language and threatened them with dire consequences.

It is the contention of the learned counsel for the petitioners that being kith and kin of the deceased, they asked for justice, but they did not commit any offence as alleged and this case is false and foisted.

The allegations levelled in the complaint, *prima facie*, reveal the commission of offences, as alleged. This is a matter, which requires investigation by the police. There are no valid grounds to quash the First Information Report.

In the facts and circumstances of the case, the Investigating Officer is directed to proceed with the investigation, however, without arresting the petitioners/A1 to A3 till filing of charge sheet, and the petitioners/A1 to A3 shall appear before the Investigating Officer as and when required and cooperate him to complete the investigation.

The Criminal Petition is accordingly dismissed.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 08.10.2015

Dsr