

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION NO. 3390 OF 2015

ORDER:

Heard learned counsel for petitioner/A1 and at the admission stage, the following order is passed.

The allegations in FIR are that when the complainant was attending her work in her land, the accused and four others came there and abused her as to why she was attending work over there and tried to outrage her modesty. The investigation is reported to be pending.

Opposing the FIR allegations, the learned counsel for petitioner would submit that petitioner/A1 and the *de facto* complainant are none other than the cousins and in fact the petitioner/A1 filed O.S.No. 57 of 2015 on the file of Senior Civil Judge, Sattenapalli, seeking permanent injunction against the defendants including the present complainant, who is the second defendant and in that suit an interim injunction was also granted in his favour and due to grudge she filed a false case against him. The counsel thus sought quashment of proceedings.

Having regard to the *prima facie* accusation in the FIR and pending investigation, it is not a fit case to quash the proceedings. Hence, the investigation shall be continued to its logical end. However, having regard to the pendency of the civil suit between the parties who are relations, the police of Sattenapalli Town Police Station, Guntur District, are directed not to arrest petitioner/A1 during the course of investigation. The petitioner/A1 shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, the Criminal Petition is disposed of.

As a sequel thereto, miscellaneous petitions, pending if any, shall stand closed.

U. DURGA PRASAD RAO, J

Date: 17.04.2015

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