

HONOURABLE SMT JUSTICE ANIS

CRIMINAL PETITION No.2671 OF 2015

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ORDER:

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This criminal petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed, seeking to quash the proceedings against the petitioner herein in Crime No.204 of 2013 on the file of II Town Police Station, Proddatur, YSR Kadapa District, registered for the offence punishable under Section 409 I.P.C.

Learned counsel for the petitioner argued that the petitioner is innocent and she has not committed any offence much less the offence alleged. He further argued that except mentioning the name of the petitioner in the complaint, no specific overt acts were pleaded against her. He, therefore, prayed the Court to quash the proceedings against the petitioner in the above-mentioned crime.

On the other hand, learned Public Prosecutor argued that the police have already completed the investigation and they are going to file charge sheet into the Court.

A perusal of the record shows that on receipt of complaint from the 2nd respondent, a case in Crime No.204 of 2013 was registered on the file of II Town Police Station, Proddatur, against accused Nos.1 and 2 and the petitioner herein, for the offence punishable under Section 409 I.P.C.

According to the learned counsel for the petitioner, though no specific overt acts are mentioned against the petitioner in the complaint lodged by the 2nd respondent, the police are trying to arrest her without any basis. A perusal of the complaint *prima facie* shows that, while making specific allegations against A1 and A2, the name of the petitioner was also mentioned by the defacto complainant, but however, the specific role played by her in the commission of offence is not stated. At any rate, the investigation was stated to have been completed and charge sheet will be filed into the Court in due course of time.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioner in Crime No.204 of 2013 on the file

of II Town Police Station, Proddatur, YSR Kadapa District. However, the police are directed not to arrest the petitioner in connection with the above crime till filing of final report/charge sheet into the Court.

The criminal petition is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed.

ANIS, J

20th April, 2015

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