

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.5865 of 2014

ORDER :

This Criminal Petition is filed by the Petitioners/ accused Nos.1 to 16 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.53 of 2012 of Guduru Police Station, Kurnool District registered for the offences punishable under Section 147, 148, 323, 149 IPC and Sections 3 (i) (x) of SC & ST (POA) Act.

2) Heard learned counsel for the petitioners/ accused Nos.1 to 16 as well as learned public prosecutor representing 1st respondent —State before admission and before ordering notice to respondents 2 to 4. Perused the material on record including the interim stay obtained 03.06.2014, of all further proceedings viz., investigation and arrest.

3) As the material falls short for this Court to quash the Criminal Petition filed under Section 482 Cr.P.C.

4) Having regard to the above, though there are allegations that earlier there are complaints against de facto complainant and the dispute is out come of civil nature in relation to the plot Nos.178 to 181 of Remata Village and instead of staying the investigation and even confining the stay of arrest, this Court feels from the factual matrix that the investigation shall go on and pending investigation, from the entitlement of concession of bail to the petitioners/ accused Nos.1 to 16, they shall surrender before the special Judge concerned and move for regular bail with notice to Additional Public prosecutor and in such event, the learned Special Judge shall consider the same preferably on the same day with necessary conditions. Needless to say any other relief is left open to the petitioners, in the event of police filing final report, any cognizance taken by the learned Magistrate for committal or otherwise.

5) Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.25.06.2015

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Date: 25.06.2015

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