

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.2117 of 2015

ORDER:

Upon hearing both sides, at the admission stage, the following Order is passed:

The allegations in the FIR are that on the suspicion that the *de facto* complainant is practicing Sorcery, the petitioners and others conspired together and wanted to extract her teeth and beat her and accordingly, on 25.03.2014, some of the accused obstructed her and inhumanly beat her and poured chilly powder in her eyes and extracted her teeth and tried to do away with her life. The investigation is reported to be pending.

The submission of learned counsel for petitioners is that even if the prosecution case is admitted to be true, the present petitioners/Accused Nos.9,10,12 to 18, 20 and 21 have not participated in the main incident and therefore they shall be regarded as innocents and proceedings against them may be quashed. On the other hand, the learned Additional Public Prosecutor submitted that the investigation is in the crucial stage and unless it is proceeded to its logical end, the correct role of the present Petitioners cannot be determined and therefore, the proceedings may not be quashed.

This Court is of the considered view that the investigation shall be continued to its logical end to determine the role of each and every accused. Having regard to the fact that the investigation is in mid way, it is not a fit case to quash the proceedings. However, on the request of the learned counsel for petitioners, the Police of Kadiam Police Station of East Godavari District, are directed to strictly follow the procedure contemplated under Section 41-A Cr.P.C. towards the petitioners/ Accused Nos.9,10,12 to 18, 20 and 21 during the course of

investigation. The petitioners shall cooperate with the investigation agency for smooth completion of investigation.

With the above observation, the Criminal Petition is disposed of

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

U.DURGA PRASAD RAO,J

26-03-2015

eha

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No. 2117 of 2015

Dt. 26.03.2015

eha