

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4076 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/A-1 to A-3 in Crime No.59 of 2016 of Gajuwaka Police Station, Visakhapatnam District, registered for the offence punishable under Section 3 (1) (x) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

Heard the learned counsel for the petitioner/accused and the learned Public Prosecutor and perused the material on record.

Admittedly, a complaint was lodged by the second respondent/*de facto* complainant against the petitioners wherein specific allegations are made against the petitioners, the truth or otherwise of which can be ascertained only after due investigation into the crime by the investigating agency and the same cannot be determined at the initial stage.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners, this Court is not inclined to interfere with the proceedings against the petitioner/A-1 to A-3. However, in view of submission of the learned counsel for the petitioners that the petitioners/A-1 to A-3 are apprehending arrest due to pendency of the above crime, the Gajuwaka Police Station, Visakhapatnam District is directed to complete the investigation without arresting the petitioners/A-1 to A-3 and file the final report in accordance with law. In the event of necessity, the police concerned are at liberty to issue a notice to

the petitioner for the purpose of investigation and on receipt of such notice the petitioner shall appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioner/A-1 to A-3 to appear before the police on receipt of such notice, the police are at liberty either to arrest the petitioners/

A-1 to A-3 or to approach this Court, as the case may be, for recalling the present order.

With the above direction, the Criminal Petition is disposed of. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 28-03-2016

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