

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4832 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 by the petitioner/accused seeking to quash the proceedings in Crime No.514 of 2015 on the file of Patamata Police Station, Vijayawada City, Krishna District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Sections 376(ii)(n) & 313 I.P.C.
4. The truth or otherwise of the said allegations can be ascertained by the Investigating Agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings against the petitioner in the above crime.
5. At this stage, learned counsel for the petitioner submitted that in view of the pendency of the above crime, the petitioner is apprehending arrest and also harassment in the hands of police.
6. Even though the offences are serious in nature, it is evident from the complaint that there is a relationship between the petitioner and the *de facto* complainant from the year 2009 onwards. The *de facto* complainant is aged about 30 years. She became pregnant for two times and tali was also tied to her. Considering the said facts and circumstances and in view of the submission of the learned counsel for the petitioner, the police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the police are directed to issue notice to the petitioner for his appearance before the Investigating

Agency for the purpose of investigation. On issuance of such notice, the petitioner shall appear before the Investigating Agency and give an undertaking as to his future appearance as and when required by the Investigating Agency for the purpose of investigation.

7. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

7.4.2016
AMD

THE HONOURABLE SRI JUSTICE RAJA ELANGO

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