

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4631 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-6 in Crime No.48 of 2016 of Kalapathar Police Station, Hyderabad, registered for the offences punishable under Section 403 and 420 IPC.

Heard and perused the material.

Admittedly, a complaint was lodged by the second respondent/*de facto* complainant for the alleged offence. On perusal of the material on record, *prima facie*, there are specific allegations against the petitioner, the truth or otherwise of which can be determined only after due investigation by the investigating agency and the same cannot be determined at the investigation stage.

At this stage, the learned counsel for the petitioners submits that the petitioners apprehend arrest in view of pendency of the above crime.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners are serious in nature, this Court is not inclined to interfere with the proceedings against the petitioners. However, the concerned Police is directed to complete the investigation without arresting the petitioners and file final report in accordance with law. In the event of necessity, the police concerned are at liberty to issue a notice to the petitioners herein for the purpose of

investigation and on receipt of such notice, the petitioners shall appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioners to appear before the police on receipt of such notice, the police are at liberty to approach this Court for recalling the present order.

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

RAJA ELANGO, J

Date: 04-04-2016

-
Ksn