

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2159 OF 2016

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ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C) by the petitioners-accused Nos.1 to 4 seeking to quash the proceedings in FIR No.18 of 2016 of Piduguralla Town Police Station, Guntur District, registered for the offences under Sections 306 r/w. 34 IPC.

Heard the learned counsel for the petitioners and the learned Public Prosecutor and perused the material available on record.

The allegation against the petitioners is that the deceased, who was aged about 85 years, committed suicide, because the petitioners neglected her without attending her necessities. On the report given by the 1st petitioner, initially a case in Crime No.18 of 2016 was registered under Section 174 Cr.P.C., thereafter, the section of law was altered to 306 r/w. 34 IPC.

Learned counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them and that deceased has no children and therefore, the 1st petitioner is looking after her and due to some health problems and mental depression, the deceased herself poured kerosene and set fire.

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 petitioners. At this stage, learned counsel for the petitioners submitted that in view of the pendency of the above crime, the petitioners apprehend arrest and also the harassment in the hands of the police and that the petitioners are ready to cooperate with the investigation.

In view of the above, the police concerned are directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are directed to appear before the Investigating Agency as and when their presence is required, and cooperate with the Investigating Agency.

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

RAJA ELANGO, J

February 22, 2016.

KTL