

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3174 OF 2016

ORDER:

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This petition is filed by the petitioner-accused under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.21 of 2016 on the file of G.Sigadam Police Station, Srikakulam District, registered for the offences punishable under sections 417 and 420 r/w.34 IPC and 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is alleged that the petitioner fell in love with the de facto complainant and promised to marry her but, after two years, he refused to marry her as she belongs to Scheduled Caste category. Therefore, the de facto complainant lodged a complaint with the II-Town Police Station, Srikakulam and the same was registered as Crime No.230 of 2013. The petitioner approached this Court to quash the proceedings in Crime No.230 of 2013 in CrI.P. No.8472 of 2014, and this Court while disposing of the said criminal petition directed the police to complete the investigation without arresting the petitioner, vide order, dated 24.06.2014.

Thereafter, the petitioner agreed to marry the de facto complainant within six months, in the presence of elders and also issued an affidavit to that effect. Subsequently, when he tried to marry another girl, the de facto complainant and her relatives asked him about the same then, he abused her in the name of her caste. Therefore the 2nd respondent filed the present complaint.

The present complaint was lodged by the de facto complainant with the same allegations that were made in Crime No.230 of 2013 on the file of II-Town Police Station, Srikakulam, but in a different police station. Hence, this Court is inclined to pass the following order:

The present crime i.e. Crime No.21 of 2016 on the file of G.Sigadam Police Station, Srikakulam District, is hereby transferred to the II-Town Police Station, Srikakulam, and the investigating agency concerned, is directed to complete the investigation in both the crimes, and file final report, if any, in accordance with law, without arresting the petitioner. In the event of necessity, the police concerned 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.

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

RAJA ELANGO, J

March 11, 2016.
KTL