

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7512 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioners/A1 to A5 seeking to quash the proceedings in Cr.No.37 of 2016 of Kadapa II Town Police Station, Kadapa District, registered for the offence punishable under Section 3(1)(r)(s) of SCs & STs (POA) Act (Amendment 2015), 323, 509 r/w 34 IPC, against them.

2. Heard learned counsel for the petitioners/accused and learned Additional Public Prosecutor representing the State.

3. It is alleged in the complaint that due to property and money disputes, all the accused came to the house of the de facto complainant on 27.03.2016 at 10.00 AM., abused him in filthy language in the name of his caste and also beat him with hands and legs.

4. As per the complaint, there are serious allegations against the petitioners. Truth or otherwise of the allegations in the complaint can be ascertained by the investigating agency during the course of investigation. Therefore, this Court is of the considered view that this is not a fit case to quash the impugned proceedings. However, considering the facts and circumstances of the case, the police concerned are directed to proceed with the investigation without arresting the petitioners/A1 to A5. The petitioners/A1 to A5 are directed to appear before the investigating agency as and when required and cooperate with the investigating agency.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M.S.K.JAISWAL,J

6th June, 2016

sj

