

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3939 OF 2016

ORDER:

This petition is filed by the petitioners-accused Nos.1 to 3 under Section 482 Cr.P.C. seeking to quash the proceedings against them in FIR No.165 of 2014 on the file of Ongole I Town Police Station, Prakasam District, registered for the offence punishable under Sections 506, 323 r/w 34 IPC and Section 3(I)(R) (S) of the SCs & STs (POA) Act Ordinance, 2014.

Heard and perused the material available on record.

It is alleged that when the 2nd respondent-de facto complainant along with his colleagues came out from a hotel after having lunch, 1st petitioner came in front of him and started abusing him in filthy language in the name of his caste and thereafter, all the accused caught hold of his shirt collar and neck and kicked him with legs.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, the 1st respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating officer and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

Accordingly, the Criminal Petition is disposed of. Consequently,

miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.3.2016

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DATED 22.3.2016

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