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

Criminal Petition No.11369 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against petitioner/accused No.5 in F.I.R. No.84 of 2016 of Chandrugonda Police Station, Khammam District, registered for the offences punishable under Sections 353, 294(b) and 109 I.P.C.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against petitioner/accused No.5 are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioner/accused No.5.

However, it is noticed in the record that this Court by its order dated 05-07-2016 in Criminal Petition No.9700 of 2016, filed by the accused Nos.1 to 4 & 6, directed the Police to complete the investigation and file a final report, if any in accordance with law without arresting the accused Nos.1 to 4 & 6. The case of the petitioner/accused No.5 stands on the same footing.

Therefore, the Criminal Petition is disposed of directing the police to complete the investigation into the crime without

arresting the petitioner/accused No.5 and file the final report, if any, in accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to petitioner/accused No.5 requiring him to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioner/accused No.5 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.

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

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JUSTICE M.S.K.JAISWAL

Date: 04-08-2016

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