

HONOURABLE SRI JUSTICE M.S.K. JAISWAL

CRIMINAL PETITION No. 14321 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Cr.No. 128 of 2016 on the file of Station House Officer, Kadiri Town Police Station, Kadiri, Ananthapuram District, registered for the offences punishable under Section 323 read with Section 34 IPC and Section 3(1)(s) of SC/ST (Prevention of Atrocities) Amendment Act 2015.

Heard learned counsel appearing for the petitioners/Accused Nos.1 and 2, and learned Additional Public Prosecutor, representing the State.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made against the petitioners/Accused Nos.1 and 2 in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of investigation or trial. I see no ground to interdict the investigation at this stage and quash the first information report.

However, considering the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioners/Accused Nos. 1 and 2 in the above crime, till the investigation is completed and charge sheet is filed. The

petitioners/Accused Nos. 1 and 2 shall appear before the investigating agency as and when required/summoned during the course of investigation and cooperate with the investigating agency for early completion of the investigation.

Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE M.S.K. JAISWAL

DATED 13th October, 2016.
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