

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4638 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/accused in Crime No.43 of 2016 of Midjil Police Station, Mahaboobnagar District, registered for the offences punishable under Section 307 and 504 read with Section 34 IPC.

Heard and perused the material.

Admittedly, a complaint was lodged by the second respondent/*de facto* complainant for the alleged offences. On perusal of the material on record, *prima facie*, there are specific allegations against the petitioners, the truth or otherwise of which can be determined only after due investigation by the investigating agency and the same cannot be determined at the investigation stage and hence, this Court is not inclined to interfere with the proceedings against the petitioners.

At this stage, the learned counsel for the petitioners submits that out of petitioners/accused, 2nd respondent/A-2 is a lady and is pregnant and that at least insofar as A-2 is concerned, his request may be considered.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners are serious in nature, this Court is not inclined to interfere with the proceedings against the petitioners. However, since it is stated that the second petitioner/A-2 is lady who is pregnant, the concerned Police is directed to complete the

investigation without arresting the second petitioner/A-2 is concerned and insofar as the other petitioners/accused are concerned, the criminal petition is liable to be dismissed.

Accordingly, the criminal petition is partly dismissed. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 04-04-2016

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