

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6852 OF 2016

ORDER:

This petition is filed by the petitioners-accused Nos.2, 4, 6 to 11 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.89 of 2016 on the file of Avanigadda Police Station, Krishna District, registered for the offence punishable under Sections 353, 188, 341 and 143 r/w 149 IPC.

Heard and perused the material available on record.

It is alleged that the authorities of Lakamma Ammavari temple decided to perform Jathara from 21.4.2016. The de facto complainant-Head Constable and other constables were posted there on duty. On 22.4.2016 at about 1.30 a.m., while all the accused were proceeding in a procession towards 8th ward by disobeying the orders of police, the police obstructed them. Then, the accused sat as Dharna in front of the police station.

Learned Counsel for the petitioners submitted that the petitioners obtained permission for procession and merely because there was some delay in discontinuing such procession, it cannot be said that the petitioners violated the orders and that during the procession, the police behaved in a rude manner and the police went to the extent of beating the villagers including womenfolk and that the petitioners have been falsely implicated in the above crime without there being any material to connect them with the above crime.

Considering the facts and circumstances of the case and the allegations made against the petitioners, this Court is not inclined to grant the relief sought by them. However, the respondent-police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioners. In the event of necessity, the respondent-police are directed to issue notice to the petitioners to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners are directed

to appear before the investigating agency and give an undertaking as to their future appearance as and when required 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 : 29.4.2016

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DATED 29.4.2016

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