

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

Criminal Petition No.12715 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against petitioners/accused in F.I.R. No.76 of 2016 of Balayapalli Police Station, SPSR Nellore District, registered for the offence punishable under Section 379 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 petitioners/accused 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 petitioners/accused.

However, in view of submissions of the learned counsel for petitioners that petitioners-accused are apprehending their arrest in view of the pendency of the above crime, the police concerned are directed to complete the investigation into the crime without arresting the petitioners/accused 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 petitioners/accused requiring them to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioners/accused shall appear before the investigating agency 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, if any, pending, shall stand closed.

JUSTICE M.S.K.JAISWAL

Date: 06-09-2016

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