

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4078 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/A-2 in Crime No.34 of 2016 of Mahabubabad Police Station, Warangal District registered for the offences punishable under Sections 204, 381 IPC.

Heard the learned counsel for the petitioner/A-2 and the learned Public Prosecutor and perused the material on record.

Admittedly, the second respondent/*de facto* complainant lodged a complaint against the petitioners wherein specific allegations are made 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.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner are serious in nature, this Court is not inclined to interfere with the proceedings against the petitioner/A-2. However, in view of submission of the learned counsel for the petitioner that the petitioner/A-2 apprehend arrest due to pendency of the above crime, the concerned Police is directed to complete the investigation without arresting the petitioner/A-2 and file final report in accordance with law. In the event of necessity, the police concerned are at liberty to issue a notice to the petitioner for the purpose of investigation and on receipt of such notice the petitioner/A-2 shall appear before the police and cooperate with the

investigating agency. In the event of failure on the part of the petitioner/A-2 to appear before the police on receipt of such notice, the police are at liberty to approach this Court for recalling the present order.

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

RAJA ELANGO, J

Date: 28-03-2016

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