

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

Criminal Petition No.8025 of 2016

Order:

This criminal petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings initiated against the petitioners-accused 1 to 8 in Crime No.86 of 2016 of Totapalli Gudur Police Station, SPSR Nellore district, registered for the offences punishable under Sections 143, 323 and 354(b) read with Section 149 IPC and Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

2. Heard and perused the material available on record.

3. Having regard to the facts and circumstances of the case and also in view of the nature of the offences alleged against the petitioners-accused 1 to 8 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 1 to 8.

4. However, in view of the submission of the learned counsel for the petitioners that the petitioners-accused 1 to 8 are apprehending of 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 1 to 8 till the charge-sheet is filed 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 the petitioners-accused 1 to 8 requiring them to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioners-accused 1 to 8 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.

10th June, 2016.
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