

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3263 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in crime No.89 of 2016 on the file of the P.S., Begumpet, registered for the offence under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Heard and perused the material.

Learned counsel for the petitioner submits that the alleged occurrence took place on 21.02.2016 and that the complaint is lodged with an inordinate delay on 26.02.2016, which is not explained by the complainant. He further submits that the petitioner has not committed any offence and as such, he prays this Court to quash the proceedings against the petitioner.

Considering the facts and circumstances of the case, this Court is of the view that the truth or otherwise of the allegations made in the complaint can be investigated by the investigating agency and as such, this Court is not inclined to quash the proceedings. However, considering the facts, custodial interrogation of the petitioner is not necessary, and as such, this Court directs the police concerned to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioner for his appearance for the purpose of investigation and the petitioner is also directed to appear and cooperate with the investigating agency. The petitioner is also directed to submit an Undertaking for his future appearance for the purpose of investigation.

The Criminal Petition is accordingly disposed of. Miscellaneous Petitions pending in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

14.03.2016
pln