

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3230 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 by the petitioners/A-1 to A-3 seeking to quash the proceedings in Crime No.59 of 2015 on the file of Tirumala II Town Police Station, Tirupathi Urban, Chittoor District.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioners are punishable under Section 323 read with 34 I.P.C. and Section 3(1)(X) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
4. The point raised by the learned counsel for the petitioners is that there is an inordinate delay of two and a half months in lodging the complaint and the same is evident from the record. The truth or otherwise of the said allegations can be ascertained by the Investigating Agency during the course of investigation. Therefore, this Court is not inclined to interfere with the proceedings against the petitioners in the above crime.
5. At this stage, learned counsel for the petitioners submitted that in view of the pendency of the above crime, the petitioners are apprehending arrest and also harassment in the hands of police.
6. In view of the above submission, the 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 police are directed to issue notice to the petitioners for their appearance before the Investigating Agency for the purpose of investigation. On

issuance of such notice, the petitioners 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.

7. With the above directions, the Criminal Petition is disposed of. Miscellaneous petitions pending, if any, in this Criminal Petition shall stand closed.

JUSTICE RAJA ELANGO

14.3.2016

AMD

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