

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.4650 OF 2016

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ORDER:

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This Criminal Petition is filed by the petitioners-accused Nos.1 and 2 under Section 482 Cr.P.C., seeking to quash the proceedings against them in FIR No.19 of 2016 on the file of the Thonduru Police Station, YSR Kadapa District, registered for the offence punishable under Section 436 r/w 34 IPC.

Heard and perused the material available on record.

It is alleged that when the 2nd respondent- de facto complainant stored Jowar hay in neighbouring site, the accused and another lit fire to it.

Learned Counsel for the petitioners submitted that there are disputes with regard to site between the 2nd respondent and the 1st petitioner and that the alleged incident occurred on 9.3.2016, whereas the complaint was lodged on 19.3.2016 and there was delay in lodging the complaint and that the present complaint was given falsely against the petitioners so as to threaten them.

Considering the facts and circumstances of the case, this Court is inclined to pass the following order:

The 1st respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating officer 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 pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 4.4.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 4.4.2016

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