

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

CRL.P.NO.8874 OF 2016

ORDER

This criminal petition is filed under Section 482 of Cr.P.C. to quash the proceedings in FIR. No.72/2016 on the file of Police Station, Etcherla, Srikakulam District, registered against the petitioners, who are A-1 to A-5, for the offences punishable under Sections 354(b), 323 read with 34 IPC of IPC and 3(1)(r)(s) and 3(2)(Va) of SC and ST (POA) Amendment Act, 2015.

Heard the counsel for the petitioners/accused and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made against the petitioners in the complaint. This is a matter, which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of investigation or trial. I see no grounds to interdict the investigation at this stage and quash the first information report.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioners, the criminal petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioners/accused 1 to 5 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioners / accused 1 to 5 shall appear before the investigating agency as and when required during the course of investigation.

Pending miscellaneous applications, if any, shall stand closed. No costs.

M.S.K.JAISWAL,J

DATE:23.06.2016