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THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4355 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused in Crime No.94 of 2016 of Rajahmundry I Town Police Station, registered for the offence punishable under Section 353 of I.P.C.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offence alleged against the petitioner/accused is 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 petitioner/accused. However, in view of submissions of the learned counsel for the petitioner that petitioner/accused is apprehending of his arrest in view of the pendency of the above crime and as the offence alleged is punishable less than three years imprisonment, the police concerned are directed to complete investigation into the crime without arresting the petitioner/accused and file the final report, if any, in accordance with law.

In the event of necessity, the police concerned are directed to issue notice to the petitioner for his appearance before the investigating agency for the purpose of investigation.

On issuance of such notice, the petitioner shall appear before the investigating agency and give an undertaking and also execute a bond for a sum of Rs.5,000/- (Rupees Five thousand only) with one surety for a like sum to the satisfaction of the S.H.O. concerned for his 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, if any, pending, shall stand closed.

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RAJA ELANGO, J

Date: 29-03-2016

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