

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3177 OF 2016

ORDER:

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This Criminal Petition is filed under Section 482 of Code of Criminal Procedure, 1973 by the petitioner/A-2 seeking to quash the proceedings in Crime No.36 of 2016 on the file of Nallakunta Police Station, Hyderabad.

2. Heard and perused the material available on record.
3. The offences alleged against the petitioner are punishable under Section 376(2)(k) I.P.C. and Section 3(1)(x)&(xii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
4. Even though allegations are made under Section 376 I.P.C., there is no serious allegation as far as the petitioner is concerned except the fact that he informed the *de facto* complainant that the parents of A-1 will not agree for marriage as she belongs to Schedule Caste. 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 petitioner in the above crime.
5. At this stage, learned counsel for the petitioner submitted that in view of the pendency of the above crime, the petitioner is apprehending arrest and also harassment in the hands of police.
6. In view of the above submission and considering the facts and circumstances of the case, the police concerned are directed to complete the investigation without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the Investigating Agency as and when his presence is

required and also cooperate with the Investigating Agency.

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

10.3.2016

AMD

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Date: 10.3.2016

AMD