

**THE HON'BLE SRI JUSTICE RAJA ELANGO**

**Criminal Petition No.4126 of 2016**

**ORDER:**

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-4 in Crime No.81 of 2016 of Kurnool III Town Police Station, Kurnool District, registered for the offences punishable under Sections 420 read with Section 34 IPC and Section 3 (1) (r) (s) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Heard the learned counsel for the petitioner and perused the material.

It is alleged in the complaint that while de facto complainant was studying MBBS in Kurnool Medical college, the first petitioner-A.1, who is her senior, set up physical contact with her expressing his intention to marry as he fell in love with her. Thereafter, when they sought permission from the mother of the first petitioner, she accepted their love affair and thereafter after performing the marriage of sister of the first petitioner, the mother refused the love. It is further alleged that on 21-02-2016, when the petitioners asked the de facto complainant to come to Kalwakurthy for marriage alliance and when she came there, all the petitioners abused her by naming her caste and humiliated her and due to fear she was fell unconscious and thereby the petitioners cheated her. Whether all the petitioners have committed the alleged offences or not is matter to be decided by the investigating agency during the enquiry and the same cannot be determined at this stage. Therefore, this Court is not inclined to interfere with the

investigation against the petitioners at this stage.

At this stage, the learned Counsel for the petitioners submits that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the police.

In view of the above submission, the police concerned are directed to complete the investigation without arresting the petitioners/A-1 to A-4 and file final report, if any, before the concerned Court. In the event of necessity, the police concerned are directed to issue notice to the petitioners for their appearance before the investigating agency for the purpose of investigation and on receipt of such notice, the petitioners herein shall appear before the investigating agency for the purpose of investigation. In the event of failure on the part of the petitioners/A-1 to A-4 to appear before the police, the police are at liberty to approach this Court for recalling the present order.

With the above direction, the Criminal Petition is disposed of. Consequently, miscellaneous petitions pending, if any, shall stand closed.

**RAJA ELANGO, J**

Date: 29-03-2016

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