

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.13688 of 2016

ORDER:

The criminal petition is filed by the petitioners/A2 & A3 under Section 482 Cr.P.C. to quash the proceedings in Cr.No.118 of 2015 of Vidavalur P.S, SPSR Nellore District, registered for the offences punishable under sections 447 and 427 r/w.34 IPC and under Section 3(1)(v)(x) of SCs & STs (POA) Act.

Heard the learned counsel appearing for the petitioners/A2 & A3 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 ground to interdict the investigation at this stage and quash the first information report.

In the facts and circumstances of the case, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioners/A2 & A3 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioners/A2 & A3 shall cooperate with the investigating agency and shall make themselves available as and when required during course of investigation.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAI SWAL,J

Date: 27.09.2016
Dsr