

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.10657 of 2014

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 and A-2 in Crime No.104 of 2014 of Adilabad Town Police Station, Adilabad, registered for the offences punishable under Sections 441, 447 and 406 IPC and Sections 3 (1)(iv)(v) & 3 (2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1960.

Heard the learned counsel for the petitioner/A-1 and A-2 and the learned Public Prosecutor and perused the material on record.

The offence alleged against the petitioners are punishable under Sections 441, 447 and 406 IPC and Sections 3 (1)(iv)(v) & 3 (2)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1960. Admittedly, a complaint was lodged by the second respondent/*de facto* complainant against the petitioners wherein specific allegations are made against the petitioners, the truth or otherwise of which can be determined only after due investigation by the investigating agency and the same cannot be determined at the investigation stage.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners are serious in nature, this Court is not inclined to interfere with the proceedings against the petitioners/A-1 and A-2. However, the Police concerned is directed to complete the investigation without arresting the petitioners/A-1 and A-2 and file final report in accordance with law. In the event of necessity, the

police concerned are at liberty to issue a notice to the petitioners for the purpose of investigation and on receipt of such notice the petitioners/A-1 and

A-2 shall appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioners/A-1 and A-2 to appear before the police on receipt of such notice, 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: 31-03-2016

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