

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5958 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused-1 in Crime No.177 of 2015 of Allagadda Town Police Station, Kurnool District, registered for the offences punishable under Sections 420, 423, 506 read with section 34 IPC and Sections 3 (1)(x) of the Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Heard the learned counsel for the petitioner/accused and the learned Public Prosecutor and perused the material on record.

Admittedly, a private complaint was lodged by the second respondent/*de facto* complainant before the concerned Magistrate, who referred the same to the concerned police under Section 156 (3) Cr.P.C. and the same was registered against the petitioner herein wherein specific allegations were made against him, the truth or otherwise of which can be ascertained only after due investigation into the crime 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 petitioner, this Court is not inclined to interfere with the investigation against the petitioner/accused. However, in view of submission that the petitioner apprehends his arrest, the Police concerned is directed to complete investigation without arresting the petitioner herein 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 petitioner for the purpose of investigation and on receipt of such notice the petitioner shall appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioner herein to appear before the police on receipt of such notice, the police are at liberty to approach this Court for recalling the present order.

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

RAJA ELANGO, J

Date: 21-04-2016

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