

**THE HON'BLE SRI JUSTICE M.S.K.JAISWAL**

**CRL.P.NO.9938 OF 2016**

**ORDER**

This criminal petition is filed under Section 482 of Cr.P.C. to quash the proceedings in FIR/Crime No.182/2015 on the file of III Town Land and Order Police Station, Kakinada, East Godavari district, registered against the petitioner/accused No.5 for the alleged offence punishable under Sections 3(i)(x) of SCs and STs (POT) Act, 1989 and Sections 427, 448, 307 and 506 read with 34 IPC.

Heard the counsel for the petitioner/accused No.5 and the learned Additional Public Prosecutor, representing the State.

Specific allegations were made against the petitioner 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 grounds to interdict the investigation at this stage and quash the first information report.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the criminal petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioner/accused No.5 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner / accused No.5 shall appear before the investigating agency as and when required during the course of investigation.

Pending miscellaneous applications, if any, shall stand closed. No costs.

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M.S.K.JAISWAL,J

DATE:12.07.2016

AVS

