

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4166 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/accused in Crime No.32 of 2016 of Ponnur Rural Police Station, Guntur District, registered for the offences punishable under Sections 323, 324, 452 and 506 read with Section 34 IPC.

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

It is alleged that on 04-03-2016 at 10.00 night time when the de facto complainant was in his house, the petitioners trespassed into his house and caught hold of his shirt, dragged him out of the house and abused her in filthy language and beat him with sticks and hands. It is further alleged that there were some disputes between the petitioners and the de facto complainant. Whether the petitioners have committed the alleged offences or not is a matter to be decided during the course of investigation by the investigating agency and the same cannot be decided at this stage. Therefore, this Court is not inclined to interfere with the investigation at this stage.

At this stage, the learned Counsel for the petitioners submitted 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/accused and file a final report, if any. In the event of

necessity, the police concerned are directed to issue notice to the petitioners for his appearance before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners shall appear before the investigating agency for the purpose of investigation. In the event of failure on the part of the petitioners/ accused, the police are at liberty to approach this Court for recalling the order now passed.

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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