

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4060 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused in Crime No.77 of 2016 of Husnabad Police Station, Karimnagar District registered for the offences punishable under Sections 384 IPC.

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

Admittedly, a complaint was lodged by the second respondent/*de facto* complainant against the petitioner wherein specific allegations are made against the petitioner, the truth or otherwise of which can be ascertained only after due investigation by the investigating agency and the same cannot be determined at this stage.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner are serious in nature, this Court is not inclined to interfere with the proceedings against the petitioner/accused. However, in view of submission of the learned counsel for the petitioners that the petitioner/accused apprehends arrest due to pendency of the above crime, the concerned Police Station is directed to complete the investigation without arresting the petitioner/accused and file the 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/accused shall appear

before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioner/accused to appear before the police on receipt of such notice, the police are at liberty either to arrest the petitioner/accused or to approach this Court, as the case may be, for recalling the present order.

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With the above direction, the Criminal Petition is dismissed. Consequently, miscellaneous petitions, if any, pending, shall stand closed.

RAJA ELANGO, J

Date: 28-03-2016

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