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THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4346 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-3 to A-5 in Crime No.29 of 2016 of Jaggaiahpet Police Station, Krishna District registered for the offence punishable under Section 306 I.P.C.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offence alleged against the petitioners/A-3 to A-5 are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioners/accused.

The learned counsel for the petitioners submits that in the panchanama conducted by the police on the dead body of the husband of the

2nd respondent herein they have clearly observed therein that "a Xerox copy of the letter is found and on both sides the names of the petitioners herein were mentioned with a blue ball pen", which fact clearly establishes that the present case is foisted against the petitioners herein. He further submits that petitioners/A-3 to A-5 are apprehending of their arrest in view of

the pendency of the above crime.

Considering the same, the police concerned are directed to complete the investigation into the crime without arresting petitioners/A-3 to A-5 and file the final report, if any, in accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to petitioners/A-3 to A-5 requiring them to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioners/ A-3 to A-5 shall appear before the investigating agency and give an undertaking as to their future appearance as and when required by the investigating agency for the purpose of investigation.

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

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RAJA ELANGO, J

Date: 29-03-2016

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