

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

CRIMINAL PETITION No.12606 of 2016

ORDER:

The criminal petition is filed under Section 482 Cr.P.C. to quash the proceedings in Cr.No.83 of 2016 of Ulindakonda P.S, Kurnool District, registered for the offences punishable under sections 297 and 109 IPC and under Section 20 of the Indian Treasure Trove Act and under Section 3 of Prevention of Damage to Public Property Act.

Heard the learned counsel appearing for the petitioner/A5 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 ground 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/A5 in the above crime, till the investigation is completed and the charge sheet is filed. The petitioner/A5 shall cooperate with the investigating agency and shall make himself available as and when required during course of investigation.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 01.09.2016

Dsr