

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.15184 OF 2016

ORDER:

This Criminal Petition is filed to quash the proceedings in Crime No.33 of 2016 of Ponnalur Police Station, Ponnalur, Prakasham District, for the offences punishable under Sections 354 and 506 read with 34 I.P.C.

The allegations made against the petitioners is that on 12-6-2016, when the petitioners 2 to 3 were sowing seeds in the land. the defacto complainant along with her relatives went there and there, the petitioners abused her and her relatives in filthy language and later, her husband and father-in-law who are 2nd and 3rd petitioners herein dragged her upto the end of the field and 1st petitioner and 4th petitioner herein necked her out of the land and thereby they outraged her modesty.

The allegations made in the complaint would constitute the offences punishable under Sections 354 and 506 read with 34 I.P.C and therefore, this Court cannot exercise jurisdiction under Section 482 of Cr.P.C. to quash the proceedings.

However, taking into consideration of the facts of the case, I find that it is a fit case to direct the Police of Ponnalur Police Station, Ponnalur, Prakasham District to follow the procedure as contemplated under Section 41-A of Cr.P.C. and also the guidelines

laid down by the Supreme Court in *ARNESH KUMAR v. STATE OF BIHAR AND ANOTHER*¹.

With the above direction, this Criminal Petition is disposed of.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE M.SATYANARAYANA MURTHY

Dated 26-10-2016.

Dvs.



¹ 2014(8) SCALE 250

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Dvs