

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4353 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.65 of 2016 of Alipiri Police Station, Chittoor District registered for the offences punishable under Sections 147, 353, 109, 447 read with Section 149 IPC.

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

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

At this stage, the learned counsel for the petitioners submits that the petitioners apprehend arrest in view of pendency of the above crime.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners are serious in nature, this Court is not inclined to interfere with the proceedings against the petitioners/accused. However, in view of the fact that the petitioners apprehend their arrest, the concerned Police is directed to complete the investigation without arresting the petitioners/accused herein 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 petitioners herein for the purpose of investigation and on receipt of such notice the petitioners/accused shall appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioners/accused to appear before the police on receipt of such notice, the police are at liberty to approach this Court for recalling the present order.

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

RAJA ELANGO, J

Date: 04-04-2016

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