

THE HON'BLE SRI JUSTICE M.S.K.JAI SWAL

CRIMINAL PETITION No.13550 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against petitioners/accused Nos.2 and 3 in Crime No.162 of 2016 of Gudivada I Town Police Station, Krishna District, registered for the offences punishable under Sections 376, 417 read with 34 IPC, Section 3(1)(r)(s) and 3(2)(u) of S.C.S.T.(POA) Act, 2015 read with 3 and 4 of P.C.F.S.O. Act, 2012.

Heard and perused the material available on record.

A perusal of the material on record reveals that specific allegations were made against the petitioners. The truth or otherwise of the allegations can only be decided during course of trial. I see no ground to interdict at this stage and quash the proceedings.

In the facts and circumstances of the case and as requested by the learned counsel for the petitioner that petitioners/accused Nos.2 and 3 are apprehending their arrest in view of the pendency of the above crime, the police concerned are directed to complete the investigation into the crime without arresting the petitioners/accused Nos.2 and 3 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/accused Nos.2 and 3 requiring them to appear before the investigating agency for the purpose of investigation and on issuance of such notice, the petitioners/accused Nos.2 and 3 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.

M.S.K.JAI SWAL,J

Date: 23.09.2016
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