

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4167 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/A-2 in Crime No.866 of 2015 of Jubilee Hills Police Station, Hyderabad registered for the offences punishable under Sections 420, 506 and 509 IPC.

Heard and perused the material available on record.

A perusal of the complaint would reveal that there are specific overt acts attributable to petitioner/A-2 have been made, constituting the offences, much the alleged offences, the truth or otherwise of which can be properly ascertained during investigation by the investigating agency and the same cannot be decided at this stage, as the crime is under investigation.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner/ A-2 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 petitioner/A-2. However, in view of submission of the learned counsel for the petitioner that the petitioner/A-2 is apprehending arrest due to pendency of the above crime, the police concerned are directed to complete investigation into the crime without arresting the petitioner/A-2 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 the petitioner/A-2 requiring him to appear before the investigating agency for the purpose of

investigation and on the receipt of such notice, the petitioner/A-2 shall appear before the investigating agency without fail for the purpose of investigation and cooperate with the investigating agency. In the event of any failure on the part of the petitioner/A-2 in appearing before the investigating agency on receipt of such notice, the police concerned are always at liberty to approach this Court to recall the present order.

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

RAJA ELANGO, J

Date: 29-03-2016

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