

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.2567 of 2016

ORDER:

This criminal petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioners-Accused Nos.1 to A3 seeking to quash the proceedings in Crime No.46 of 2016 on the file of Penamaluru Police Station, Vijayawada City, registered for the offences punishable under Sections 447, 323 & 341 r/w.34 IPC.

Heard and perused the material available on record.

The present crime arises out of civil disputes. The allegations against the petitioners is that when the de facto complainant asked the daughter of the petitioners 2 and 3 to vacate the premises, which was given on lease to her, they attacked him and abused him and filthy language.

The truth or otherwise of the offences alleged against the petitioners can be ascertained during the investigation. Since the material on record *prima facie* reveals allegations against the petitioners, this Court is not inclined to interfere with the investigation. At this stage, learned counsel for the petitioners submitted that in view of the pendency of the above crime, the petitioners apprehend arrest and also the harassment in the hands of police.

In view of the above, the police concerned are directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioners whenever their presence is required and on receipt of such notice, the petitioners are directed to appear before the Investigating Agency and cooperate with the investigation and also give an undertaking for their future appearance before the investigating agency.

With the above directions, the criminal petition is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

RAJA ELANGO, J

February 26, 2016.
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