

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4186 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 and A-2 in Crime No.62 of 2016 of II Town Police Station, Kakinada, East Godavari District, registered for the offences punishable under Sections 506 IPC and Section 3 (1) (r) (s) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 2015.

Heard the learned counsel for the petitioner and perused the material.

A perusal of the material on record would reveal that specific overt acts attributable to the petitioners/A-1 and A-2 have been made in the complaint constituting the offences, much less the alleged offences, the truth or otherwise of which can be ascertained by the investigating agency during the course of investigation and the same cannot be determined at this stage. Hence, this Court is not inclined to interfere with the investigation.

At this stage, the learned Counsel for the petitioners submits that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the police.

In view of the above submission, the police concerned are directed to complete the investigation without arresting the petitioners/A-1 and A-2 and file final report, if any, before the concerned Court. In the event of necessity, the police concerned are directed to issue notice to the petitioners for their appearance

before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioners herein shall appear before the investigating agency for the purpose of investigation. In the event of failure on the part of the petitioner/A-1 and A-2, 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: 29-03-2016

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