

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.5157 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioner/accused in Crime No.15 of 2016 of Korisapadu Police Station, Prakasam District, registered for the offences punishable under Sections 353, 323 IPC and Section 3 (1) (r) (s) of the Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989.

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

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

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner, this Court is not inclined to interfere with the investigation against the petitioner/accused. However, in view of submission of the learned counsel for the petitioners that the petitioner/accused apprehend their arrest due to pendency of the above crime, the Police concerned is directed to complete investigation without arresting the petitioner/accused and file final report in accordance with law. In the event of necessity, the police concerned are at liberty to issue a notice to the petitioner for the purpose of investigation and on receipt of such notice, the

petitioner shall appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioner to appear before the police, the police are at liberty to approach this Court for recalling the present order.

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

RAJA ELANGO, J

Date: 12-04-2016

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