

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.3956 OF 2016

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ORDER:

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This petition is filed by the petitioners-accused Nos.1 to 5 under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.2 of 2016 on the file of Atchutapuram Police Station, Visakhapatnam District, registered for the offence punishable under Sections 353 and 341 r/w 34 IPC.

Heard and perused the material available on record.

It is alleged that while the 2nd respondent-de facto complainant, who is Tahsildar of Atchutapuram Mandal, along with MPDO was removing the statue of Vivekananda at Pudimadaka village, the accused and some others obstructed his legitimate duties and obstructed vehicles and attacked by using unparliamentary words.

Considering the facts and circumstances of the case and the allegations made in the complaint, this Court is not inclined to interfere with the proceedings in the above crime.

At this stage, the learned Counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest and harassment in the hands of the 1st respondent-police.

In view of the above submission, the 1st respondent-police are directed to complete the investigation and file a final report, if any, in accordance with law, without arresting the petitioners. In the event of necessity, the 1st respondent-police are directed to issue notice to the petitioners for the purpose of investigation. On issuance of such notice, the petitioners are directed to appear before the investigating officer 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 pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Date : 22.3.2016

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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 22.3.2016

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