

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.6715 OF 2016

ORDER:

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This petition is filed by the petitioner-accused No.1 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.346 of 2015, on the file of Dundigal Police Station, Cyberabad.

Heard and perused the material available on record.

The offences alleged against the petitioner are punishable under Sections 493, 420 IPC and Section 3 (1) (x) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989. The allegations arise out of physical relationship between the petitioner and the *de facto* complainant. It is the allegation that the petitioner herein had sexual relationship promising to marry the *de facto* complainant. From the reading of the complaint, it is evident that the *de facto* complaint is also a consenting party and the *de facto* complainant is also aged 28 years. She consented for physical relationship knowing the consequence of the same. The truth or otherwise of the said allegations can be ascertained during the enquiry. Therefore, this Court is not inclined to interfere with the investigation against the petitioner.

At this stage, the learned Counsel for the petitioner submitted that due to the pendency of the above crime, the petitioner apprehends arrest and harassment in the hands of the police.

In view of the above submission, the police concerned are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the police concerned are directed to issue notice to the petitioner for his appearance before the investigating agency for the purpose of

investigation. On issuance of such notice, the petitioner shall appear before the investigating agency and give an undertaking as to his future appearance as and when required by the investigating agency for the purpose of investigation.

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

RAJA ELANGO, J

Date: 28th April, 2016.
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