

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3421 of 2016

ORDER:

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This Criminal Petition is filed by the petitioners under Section 482 Cr.P.C. seeking to quash the proceedings against them in Crime No.20 of 2016 on the file of Ulindakonda Police Station, Kurnool District, registered for the offence punishable under Sections 448 and 506 r/w 34 IPC.

It is alleged that the petitioners occupied the house belonging to the father of the 2nd respondent about 8 years back and when the 2nd respondent demanded them to vacate the said house, they threatened him.

Learned Counsel for the petitioners submitted that the 2nd petitioner is the absolute owner of the said house and her family members have been residing in the said house for the past more than three decades and that the family members of the petitioners used to attend the household works of the grandmother of the 2nd respondent without taking anything from her, for which, she executed a gift deed in favour of the 2nd petitioner in respect of the house in question.

Considering the facts and circumstances of the case, this Court is not inclined to grant the relief sought by the petitioners.

At this stage the learned Counsel for the petitioners submitted that due to pendency of the above crime, the petitioners apprehend arrest.

In view of the above submission and since the punishment for the offences alleged is less than five years, 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

Dated: 15th March, 2016

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