

THE HONOURABLE SRI JUSTICE RAJA ELANGO
CRIMINAL PETITION No.5353 OF 2016

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ORDER:

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This petition is filed by the petitioner-accused No.3 under Section 482 Cr.P.C. seeking to quash the proceedings against him in Crime No.52 of 2016 on the file of Rajanagaram Police Station, Rajahmundry, East Godavari District, registered for the offence punishable under Sections 3(1)(r)(s) and Section 3(2)(va) of SCs & STs (POA) Act, 1989 r/w 120(b), 506 and 420 IPC.

Heard and perused the material available on record.

It is alleged that the petitioner and others had shown a site to the 2nd respondent, received an amount of Rs.5 lakhs from him and executed an agreement of sale and thereafter, when the 2nd respondent requested for registration, the petitioner and others did not respond. On 13.2.2016, the petitioner and others attacked the 2nd respondent and scolded him in the name of his caste.

Learned Counsel for the petitioner submitted that the petitioner was falsely implicated in the above crime and that there was delay in lodging the complaint and that the incident took place on 13.2.2016 and the complaint was lodged on 18.2.2016.

Considering the facts and circumstances of the case and the allegations made against the petitioner, this Court is not inclined to grant the relief sought by the petitioner. However, the 1st respondent-police are directed to complete the investigation and file a final report, if any, without arresting the petitioner. In the event of necessity, the 1st respondent-police are directed to issue a notice to the petitioner to appear before the investigating agency for the purpose of investigation. On issuance of such notice, the petitioner is directed to appear before the investigating agency and give an undertaking as to his future appearance as and when required 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 : 18.4.2016
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HONOURABLE SRI JUSTICE RAJA ELANGO

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DATED 18.4.2016

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