

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.4071 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 and A-2 in Crime No.728 of 2015 of Medipally Police Station, Cyberbad registered for the offences punishable under Sections 120 B, 406, 417, 420, 423, 468, 482 and 506 IPC.

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

Admittedly, on a complaint being lodged by the respondents 2 and 3 before the III Metropolitan Magistrate, Cyberabad at L.B. Nagar, the same was referred under Section 156 (3) Cr.P.C. to the concerned police, who registered the same as Crime No.7728 of 2015 for the alleged offences. Whether the alleged offences are committed by the petitioners/A-1 and A-2 can be determined only after due investigation 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 petitioners are serious in nature, this Court is not inclined to interfere with the proceedings against the petitioners/A-1 and A-2. However, in view of submission of the learned counsel for the petitioners that the petitioners/A-1 and A-2 apprehend arrest due to pendency of the above crime, the concerned Police is directed to complete the investigation without arresting the petitioners/A-1 and A-2 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 petitioners for the purpose of investigation and on receipt of such notice the petitioners/A-1 and A-2 shall appear before the police and cooperate with the investigating agency. In the event of failure on the part of the petitioners/A-1 and A-2 to appear before the police on receipt of such notice, the police are at liberty either to arrest the petitioners/ A-1 and A-2 or to approach this Court, as the case may be, for recalling the present order.

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

RAJA ELANGO, J

Date: 28-03-2016

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