

THE HON'BLE SRI JUSTICE RAJA ELANGO

Criminal Petition No.3332 of 2016

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash proceedings initiated against the petitioners/A-1 to A-11 in Crime No.16 of 2016 of Rompicherla Police Station, Chittoor District registered for the offences punishable under Sections 147, 148, 324, 323, 354 read with Section 34 IPC.

Heard and perused the material available on record.

It is alleged that on 25-02-2016 at about 4.30 P.M., when A-1 has digging the pits over the poramboke land of Thmmappa kunta, which is adjacent to the land of the de facto complainant and when the de facto complainant and his wife and brother objected the same, A-1 to A-11 came in a body and attacked the complainant and his wife and brother with stones and beat them. A-1 caught hold of his tuft and beat him and his brother with stones causing bleeding injury and all other accused also beat them.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioners/ accused are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioners/accused. However, in view of submission of the learned counsel for the petitioners that the petitioners/accused are apprehending of their arrest due to pendency of the above crime, the police concerned are directed to complete investigation without arresting the petitioners/accused and file the final report, if any, in

accordance with law. However, in the event of necessity, the police concerned are directed to issue notice to the petitioners/A-1 to A-11 requiring them to appear before the investigating agency for the purpose of investigation and on the receipt of such notice, the petitioners/A-1 to A-11 shall appear before the investigating agency without fail for the purpose of investigation and cooperate with the investigating agency. In the event of any failure on the part of the petitioners/A-1 to A-11 in appearing before the investigating agency on receipt of such notice, the police concerned are always at liberty to approach this Court to recall the present order.

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

RAJA ELANGO, J

Date: 15-03-2016

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