

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4492 of 2016

ORDER:

This Criminal Petition is filed under Section 482 of Code of Criminal Procedure (Cr.P.C.) to quash the proceedings in crime No.27 of 2016 on the file of the Malkapuram Law and Order, Visakhapatnam District, registered for the offences under Sections 417, 376, 420 IPC and Section 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Heard and perused the material.

On perusal of the entire material available on record, *prima facie* there are allegations against the petitioners, which are to be investigated into by the police. Hence, this Court is not inclined to quash the impugned proceedings at this stage.

However, considering the facts and circumstances of the case, this Court is of the view that the custodial interrogation of the petitioners 2 and 3 is not necessary and as such, the police are directed to complete the investigation without arresting the petitioners 2 and 3 and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioners 2 and 3 for their appearance for the purpose of investigation and the petitioners 2 and 3 are also directed to appear and cooperate with the investigating agency. The petitioners 2 and 3 are also directed to submit an Undertaking for their future appearance for the purpose of investigation. This Court is not inclined to grant any relief insofar as petitioner No.1 is concerned.

The Criminal Petition is accordingly disposed of. Miscellaneous Petitions pending in this Criminal Petition, if any, shall stand closed.

JUSTICE RAJA ELANGO

31.03.2016

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