

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.3261 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.7 of 2016 on the file of the P.S., Bobbili, Vizianagaram District, registered for the offence under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Heard and perused the material.

Admittedly the occurrence took place on 01.01.2016 and that the complaint was lodged on 04.01.2016 with a delay of four days, which is not properly explained.

Considering the facts and circumstances of the case, this Court is of the view that the truth or otherwise of the allegations made in the complaint can be investigated by the investigating agency and as such, this Court is not inclined to quash the proceedings.

Considering the fact that there is a delay in lodging the complaint and also as the case is arising out of a civil dispute, this Court directs the police concerned to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The police are directed to issue notice to the petitioner for his appearance for the purpose of investigation and the petitioner is also directed to appear and cooperate with the investigating agency. The petitioner is also directed to submit an Undertaking for his future appearance for the purpose of investigation.

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

JUSTICE RAJA ELANGO

14.03.2016
pln