

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2009 of 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.') requesting to quash the First Information Report in Crime No.17 of 2017 of Gangadhara Police Station, Karimnagar District.

2. The petitioners herein are arraigned as accused Nos.2 to 6 and they alleged to have committed the offences punishable under Sections 376(2)(n), 312, 366-A, 290 and 323 of the Indian Penal Code, 1860 (IPC), Section (iii)(f) and Section 3(1)(S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 and Section 6 of the Protection of Children from Sexual Offences Act, 2012.

3. Heard, Sri L.Ravinder, learned counsel for the petitioners and learned Additional Public Prosecutor for the State of Telangana.

4. The submissions of the learned counsel for the petitioners is that none of the allegations in the complaint would show the commission of a cognizable offence by the petitioners herein, and, in fact, all the allegations are made against accused No.1, who is not a party to the present petition. Since accused No.1 and the *de facto* complainant were traced out in an isolated place, only to get over the same, the *de facto* complainant lodged police complaint implicating the petitioners herein, and, therefore, sought to quash the proceedings.

5. The concluding portion of the complaint would, in fact, constitute prima facie allegations as to the commission of offences alleged against the petitioners except the offence punishable under Section 376(2)(n) IPC. In that view of the matter, it cannot be said that further investigation would amount to abuse of process of law.

5. Accordingly, the criminal petition is dismissed.

6. As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal Petition stand closed.

March 13, 2017.

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A. SHANKAR NARAYANA, J

