

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No. 2691 of 2011

ORDER:

This petition is filed by the petitioners seeking for quashment of proceedings in Crime No.32 of 2011 of Dowlaiswaram Police Station, East Godavari District.

2. Heard the counsel for the petitioners and the Public Prosecutor, who appears for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The counsel for the petitioners submits that this complaint is filed as a counter blast to the report given by one of the accused herein with regard to the same incident. The earlier complaint filed by one of the accused herein shows that it relates to the same incident, which took place on the same day at the same time. But, however, there are counter allegations made in the two complaints, the truth of which has to be brought out only after taking in relevant evidence.

4. Hence, this Court opines that this is not a fit case for quash of the proceedings. However, considering that there was already a complaint lodged by one of the accused, which suggests that this complaint may be a counter blast for the earlier complaint, the arrest of the petitioners is stayed.

5. With the above observations, the Criminal Petition is disposed of. The police are directed not to arrest the petitioners

unless it is very necessary for the purpose of investigation after obtaining prior permission from the concerned court.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

T. RAJANI, J

November 13, 2017
LMV

