

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2825 of 2011

ORDER:

When the matter was taken up for hearing on 14.12.2017, as none appeared, it was directed to be listed under the caption 'for dismissal'. Even today, when the matter is taken up for hearing, neither the petitioner appears nor there is any representation on his behalf. Hence, the petition is taken up for disposal on merits.

2. The criminal petition is filed for quash of the proceedings in FIR.No.23 of 2011 dated 09.03.2011 on the file of the Lingala Ghanpur Police Station. The offence alleged is under Section 354 of the Indian Penal Code, 1860.

3. A perusal of the complaint would show that the complainant went to attend nature call in the open place and the accused came from behind and caught hold of her hand and tried to commit rape on her. Hence, the nature of the allegations would, *prima facie*, constitute an offence under Section 354 IPC.

The criminal petition is dismissed. Interim stay, granted earlier in CRLPMP.No.2958 of 2011 dated 29.03.2011, stands vacated. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

December 26, 2017
DSK

T. RAJANI, J