

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.918 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 proceedings in Crime No.139 of 2016 of Manthani Police Station, Peddapalli District.

2. The petitioner alleged to have committed the offences punishable under Sections 417, 420, 376 IPC and Section 3(i)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3. Heard Sri Mirza Aijaz Ali Baig, learned counsel for the petitioner, and the learned Additional Public Prosecutor for the State of Telangana.

4. Though the learned counsel for the petitioner admitted to make out a case, it is not a case, where it can be construed as vexatious complaint or the abuse of process of law being resorted to by the de facto complainant. *Ex facie*, the allegations in the complaint would make this Court to throw away the petition at the threshold, which are so serious in pointing out the complicity of the petitioner herein.

5. The learned counsel for the petitioner lastly urges that a direction be given to the Investigating Officer not to arrest the petitioner.

6. Such a direction cannot be granted where the quash petitions filed under Section 482 Cr.P.C. in view of the recent judgment of the

Hon'ble Supreme Court in **State of Telangana v. Habib Abdullah Jeelani**¹ and that the said request is also rejected.

7. Accordingly, the criminal petition is dismissed at admission stage.

8. Miscellaneous petitions pending, if any, shall stand dismissed.

A. SHANKAR NARAYANA, J

6th February 2017.

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¹ 2017 SCC Online SC 23{CrI.A.No.1144 of 2016 (SLP (CrI) No.5478 of 2015) dated 06.01.2017}