

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1807 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure (for short, 'the Code') by the petitioners, who are arraigned as Accused Nos.1 to 3, to quash the proceedings in First Information Report in Crime No.10 of 2017 of Nagireddypet P.S., Nizamabad District.

2. Heard Sri Ch. Sharan Reddy, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Telangana.

3. Learned counsel for the petitioners, though, elaborately argued the matter, when the Court expressed the investigation shall go on as there are *prima facie* allegations, confines his request to direct the investigating officer to follow the procedure inlaid by the provisions of Section 41-A of the Code of Criminal Procedure.

4. Learned Additional Public Prosecutor for the State of Telangana would submit that none of the offences i.e., Sections 447 & 427 read with Section 34 of IPC and Sections 3 (1) (s), 3 (1) (f) & 3 (2) (va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 are punishable with imprisonment exceeding seven years.

5. Having regard to the fact situation and the submissions made by the learned counsel for the petitioners and the learned Additional Public Prosecutor for the State of Telangana, the Investigating Officer is directed to follow the procedure inlaid by the provisions of Section 41-A of the Code.

6. Accordingly, the Criminal Petition is disposed of.

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

Dt. 07.03.2017
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A. SHANKAR NARAYANA, J

