

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1653 OF 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure to quash the First Information Report in Crime No.327 of 2016 of Bhongir P.S., Nalgonda District.

2. Heard Sri Nilesh Narnia, learned counsel for the petitioners and learned Additional Public Prosecutor for the State of Telangana.

3. The petitioners are arraigned as A1 & A2 alleged to have committed the offences punishable under Sections 447, 427 and 379 read with Section 34 of Indian Penal Code.

4. 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 in the provisions of Section 41-A of the Code of Criminal Procedure.

5. Learned Additional Public Prosecutor for the State of Telangana represented that already notice under Section 41-A of Cr.P.C. was issued to the 2nd petitioner. Therefore, the investigating officer is directed to issue notice under Section 41-A of Cr.P.C. to the 1st petitioner also and also afford them an opportunity to place the material before him for examination.

6. With the above observation, the Criminal Petition is dismissed.
7. Consequently, miscellaneous petitions if any pending in the criminal petition shall stand closed.

A. SHANKAR NARAYANA, J

Dt. 01.03.2017
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