

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No. 13131 of 2011

ORDER:

This petition is filed by the petitioner to quash the proceedings in Cr.No.164 of 2011 on the file of the Bapatla Rural Police Station, Guntur District.

2. Heard the counsel for the petitioner; the counsel for the 1st respondent; and the Public Prosecutor, who appears for the 2nd respondent.

3. The counsel for the petitioner contends that the allegations made in the complaint are not serious enough to attract the offence.

4. But a perusal of the complaint shows that the accused went into the bathroom and caught hold of the hand of the complainant and pulled her. It cannot be said that the aforesaid allegation does not constitute the offence under Section 354 IPC. The contention that the complainant and this petitioner are neighbours and that due to other disputes the false complaint is filed, is not well founded and the truth of the said contention has to be gone into only at the time of trial.

5. Hence, in the light of the above, the Criminal Petition is dismissed. With regard to the arrest of the petitioner, the police are, however, directed to follow the guidelines enunciated by the Supreme Court in the case of *Arnesh Kumar v. State of Bihar*

*and another (Crl.Appeal No.1277 of 2014)*¹. Interim stay granted by this court on 16.12.2011 in Crl.P.M.P.No.14949 of 2011 shall stand vacated.

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

T. RAJANI, J

November 27, 2017
LMV



¹ (2014) 8 SCC 273