

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7133 of 2017

ORDER:

Heard learned counsel for petitioners/ accused Nos.1 to 7 in Crime No.94 of 2017 of Mirchowk Police Station, Hyderabad registered for the offences punishable under Sections 323, 448, 506, 509 r/w 34 IPC and also learned public prosecutor representing the 1st respondent—State before ordering notice to 2nd respondent—defacto complainant and perused the averments in the quash petition and contents of FIR.

2) A perusal of FIR shows the petitioners/ accused Nos.1 to 7 are no way entitle to interdict the investigation nor to admit and keep the petition pending. Needless to say, since the offences are bailable, remedy is left open to the petitioners/ accused Nos.1 to 7 either to file an application under Section 44 Cr.P.C to surrender before the learned Magistrate to take into custody and enlarge on bail with or without sureties or on surrender, file an application under Section 44 r/w 88 Cr.P.C to execute bonds with or without sureties as being directed by the trial Court.

3) Learned counsel for petitioners submits that the very incident is false one and engineered and that there is a CC camera footage, which no way recorded the said incident.

4) Hence, the petitioners are at liberty to submit any such recording before the Investigating Officer to consider its authenticity and relevancy to place as part of investigation.

5) With the above observations, the Criminal Petition is disposed of.

6) Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 18.08.2017

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