

HON'BLE SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.2738 of 2011

ORDER:

This Criminal Petition is filed seeking for quashing of FIR.No.171 of 2011 on the file of Panjagutta Police Station, Hyderabad.

Heard the learned counsel for the petitioners and learned Public Prosecutor (TG) takes notice for respondent No.1 and, with their consent, the Criminal Petition is being disposed of at admission stage.

Learned counsel for the petitioners submits that there are no allegations in the complaint which would attract Section 354 IPC but the report would show that there is a clear averment that the accused tore the blouse of the complainant, which may amount to an offence under Section 354 IPC.

The circumstances under which the incident occurred and the truth of the contentions of the petitioners has to be gone into at the time of trial and, when there is a *prima facie* case against the petitioners, it is not advisable to quash the proceedings in FIR.No.171 of 2011.

Hence, the Criminal Petition is dismissed. Petitioners are, however, at liberty to file a discharge petition before the Court below and raise all pleas that are raised herein. Interim stay granted earlier stands vacated.

Miscellaneous Petitions pending, if any, shall also stand disposed of.

T.RAJANI, J

Date: 30.10.2017
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