

THE HON'BLE JUSTICE SRI GUDISEVA SHYAM PRASAD

CRIMINAL PETITION No. 3856 of 2011

ORDER :

This petition is filed under Section 482 Cr.P.C. to quash the proceedings in FIR No.84/2011, on the file of Aliperi Police Station, Tirupati, Chittoor District.

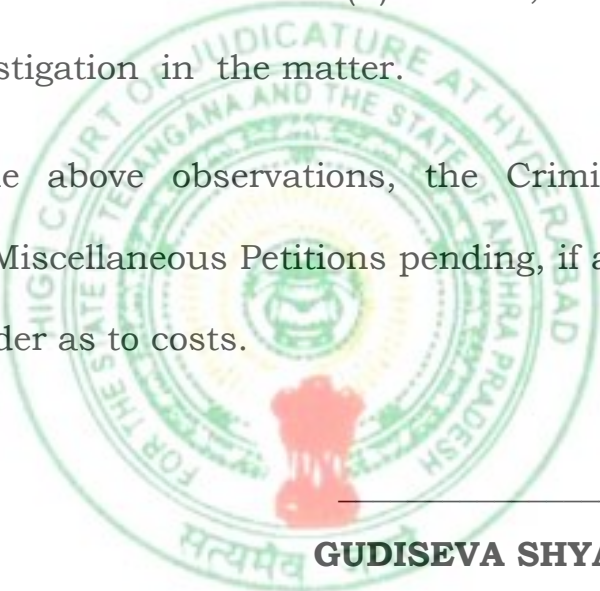
2 The brief facts of the case are that the 2nd respondent / de facto complainant gave a report to Police on 08.04.2011 stating that on 01.04.2011 at about 8 P.M., while she was at home, the residents of her colony, who are the accused Nos. A1 to A7 in this petition and three other persons, came to her home and beat her due to a quarrel ensured between them. At that time the 2nd respondent's aunt came there, and Accused No.7 hit her in her stomach, and broken her two bangles and also the bangles of her aunt, and snatched away a dollar chain threw her and her aunt on the ground and tried to throw a bolder on her head, but she threw mud on him to rescue herself. With this allegation she filed a complaint in Aliperi Police Station, Tirupati against the petitioners, and the Police registered a case in crime No. 84/2011 under section 323, 354, 379 and 34 IPC against the petitioners / Accused No. A1- to A7.

3. There is no representation on behalf of the petitioners. No arguments have been advanced on their behalf. The learned counsel for the 2nd respondent is present and submitted that there are no merits in this case, so the police may be directed to

complete the investigation, by following procedure under section 41 (A) of Cr.P.C. The learned Public Prosecutor submitted that the prosecution has no objection if there is a direction to the police to that effect.

4. Having regard to the facts and the circumstances of the case, since the petitioners did not contest the matter and as there are cases and counter cases pending between the parties, it is not desirable to quash the proceedings at this stage. However, the police authorities concerned are directed to follow the procedure under Section 41 (A) Cr.P.C., while proceeding with the investigation in the matter.

5. With the above observations, the Criminal Petition is disposed of. Miscellaneous Petitions pending, if any, shall stand closed. No order as to costs.



GUDISEVA SHYAM PRASAD,J

Dated: 20th March, 2018

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Dated: 20st March, 2018

JR