

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1180 of 2018

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/A.2, seeking to quash the proceedings in Crime No.16 of 2018 on the file of the Sadasivpet Police Station, Sangareddy District, registered for the offences under Sections 448 & 506 of I.P.C.

2. Heard the learned counsel for the petitioner/A.2, learned Assistant Public Prosecutor representing the 2nd respondent-State and perused the record.

3. The learned counsel for the petitioner/A.2 would submit that the petitioner/A.2 did not threaten the de-facto complainant. No offence under Section 448 of I.P.C. can be made out in view of the allegations made in the First Information Report and ultimately prayed to quash the First Information Report, dated 20.01.2018.

4. The learned Assistant Public Prosecutor opposed the relief sought by the petitioner/A.2 and prayed to dismiss the application.

5. As per the material placed on record, on 17.01.2018 at 04:00 PM, when the de-facto complainant was doing prayers along with a group of people, the accused No.1, who is the brother of the de-facto complainant, along with the petitioner/A.2 and others, trespassed into the church premises,

abused the de-facto complainant and threatened him with dire consequences.

6. There are also allegations constituting offences under Section 448 and 506 of I.P.C. The Station House Officer concerned cannot be faulted for issuing First Information Report in this case. Further, as the alleged offences are bailable, the Station House Officer concerned is directed to release the petitioner/A.2 on bail on taking sufficient sureties for his appearance, as and when required, either before him or before the Court concerned.

7. With the above observations, this Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand dismissed.

Dr. Shameem Akther, J

05th February, 2018
Bvv