

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

Criminal Petition No.3311 of 2018

ORDER:

This petition is filed under Section 482 Cr.P.C by the petitioners/A.1 to A.3 seeking to quash the proceedings in Crime No.64 of 2018 of Choutuppal PS, Rachakonda, which was registered against them for the offences under Sections 504, 506, 509 IPC, Sec.3(1)(r)(s)(w)(ii) and 3(2) (Va) of SC/ST (POA) Amendment Act, 2015

2) Investigation is reported to be pending.

3) Denying the complaint allegations learned counsel for petitioners would submit that earlier one Erukala Shoba lodged a complaint against the son of the *defacto* complainant and the police of Choutuppal PS registered the Crime No.451/2017 against him for the offences under Sections 354-D, 504, 506 and Sections 11 & 12 of POCSO Act, 2012 and after investigation laid charge sheet against him. The petitioner/A.3 herein is an eye witness in Crime No.451/2017. Bearing grudge against him and his family members, a false case is filed in the form of present complaint. Learned counsel thus prayed to quash the proceedings.

4) A perusal of the complaint allegations since revealed *prima facie* accusation and as the investigation is in the nascent stage, it is not apt to quash the proceedings at this stage. Therefore, the investigation must lead to logical conclusion to exhume the truth. However, the Investigating Officer shall strictly follow the guidelines of the Apex Court in the decision

reported in *Arnesh Kumar vs. State of Bihar*¹ and also the procedure contemplated under Section 41-A Cr.P.C towards the petitioners during the course of investigation. The petitioners in their turn shall cooperate with the investigating agency for smooth completion of investigation.

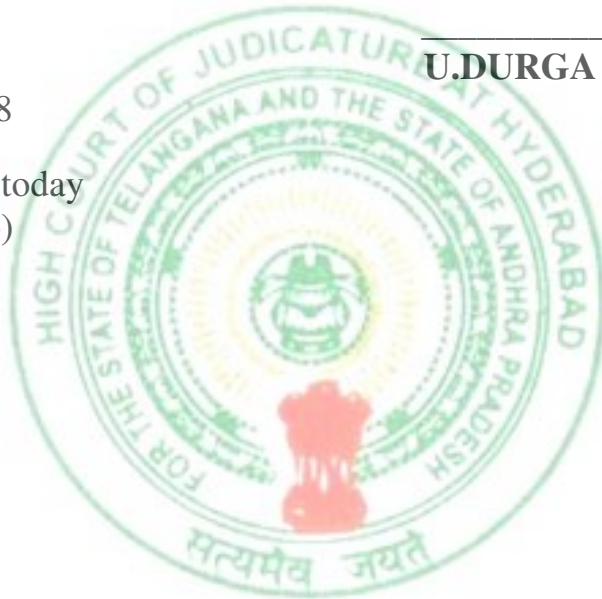
5) Accordingly, this Criminal Petition is disposed of.

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

Date: 03.04.2018

Note: Issue C.C today
(b/o)
scs

U.DURGA PRASAD RAO, J



¹ AIR 2014 SC 2756