

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.3864 of 2018

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. by the petitioners/A.1 and A.2 seeking to quash the complaint in Cr.No.48 of 2018 of Thulluru Police Station, Guntur District, registered for the offences under Sections 452, 427, 324 and 506 read with 34 I.P.C.

The allegation is that on the night of 23rd February, 2018 at about 11 hours, when the defacto complainant was sleeping in his house, the accused due to disputes between them in connection with the site trespassed into the house and beat him causing injuries. The investigation is reported to be pending.

Having regard to the prima facie accusation found in the complaint and investigation being in initial stage, it is not apposite to quash the proceedings. However, in view of the nature of alleged offences which are under Sections 452, 427, 324 and 506 read with 34 I.P.C. and punishable with a term of less than 7 years, the Investigating Officer, during the course of investigation, shall strictly follow the guidelines of the apex court rendered in *ARNESH KUMAR Vs.STATE OF BIHAR* ⁽¹⁾ and also follow the provision under Section 41-A Cr.P.C. towards the petitioners. In turn, the petitioners shall cooperate with the investigating agency for smooth completion of investigation.

¹ 2014 (3) ACR 2670 (SC)

Accordingly, this Criminal Petition is disposed of.

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

JUSTICE U.DURGA PRASAD RAO

Dated 9th April, 2018.

Note:

Issue CC tomorrow.

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Dvs



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