THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1288 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.2 to 6 seeking to quash the proceedings in Crime No.37 of 2019 of Kazipet Police Station, Warangal Commissionerate.

2. Heard the learned counsel for the petitioners/Accused Nos.2 to 6 and the learned Additional Public Prosecutor appearing for the 1st respondent-State.

3. In the course of submissions, it is brought to the notice of this Court that notice sent to the 2nd respondent-*de facto* complainant was returned un-served. None appeared for the 2nd respondent-*de facto* complainant. Perused the record.

4. There is specific accusation against accused No.1. There are no grave allegations against these petitioners/ Accused Nos.2 to 6 constituting the offences punishable under Sections 376, 493 and 420 read with 34 I.P.C. Moreover, these petitioners / accused Nos.2 to 6 were not at all present at Pune where the offence of rape was alleged against accused No.1.

5. Under these circumstances, the Station House Officer, Kazipet Police Station, Warangal Commissionerate, shall not arrest the petitioners/accused Nos.2 to 6 in the course of investigation of the subject crime. However, this order will not preclude the respondent-police concerned to complete the

investigation and file final report or charge sheet, as the case may be.

6. With this direction, the Criminal Petition is disposed of. Miscellaneous petitions, if, any, pending in this criminal petition shall stand closed.

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Dr. SHAMEEM AKTHER, J

MARCH 28, 2019
YVL

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1288 OF 2019

Date:28.03.2019

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