

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CRIMINAL PETITION No. 13794 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Assistant Public Prosecutor appearing for the respondents.

This Criminal Petition is filed by the petitioner/accused No.3, under Section 482 Cr.P.C., seeking quashment of the proceedings against him in respect of Crime No.379 of 2016 of V Town Police Station, Nellore, Sri Potti Sriramulu Nellore District, which was registered for the offences punishable under Sections 290, 506 read with Section 34 of IPC and Section 3 (1) (r) (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

During the course of hearing, learned Assistant Public Prosecutor appearing for the respondents has passed on the written instructions of the Sub-Divisional Police Officer, Nellore Rural, before the Court, stating as follows:

“As per the instructions of the Superintendent of Police, Nellore, *vide* C.No.192/C3-AL/2016 dated 13.09.2016, the Deputy Superintendent of Police, SC/ST Cell-II, SPSR Nellore District, took up investigation in this Case. During the course of investigation, the Deputy Superintendent of Police, SC/ST Cell-II, SPSR Nellore District, examined as many as 13 witnesses, observed the scene of offence in the presence of mediators, drafted an observation report and prepared rough sketch of the scene of offence. During his investigation, no *prima facie* case has been established against all the accused. Thereafter, the Deputy

Superintendent of Police got permission from the superiors *vide* C.No.192/C3-AL/2016 dated 23.02.2018 and referred the case as false on 25.02.2018 and filed a final report before the Court concerned under Section 173 Cr.P.C. The allegations of the petitioner/accused No.3 are baseless and without making any efforts to ascertain the status of investigation, the petitioner filed this petition seeking quashment of the proceedings against him in the FIR. As the proceedings in this case were closed in the year 2018 itself, the criminal petition may be dismissed”

In view of the written instructions of the Sub-Divisional Police Officer, Nellore Rural regarding closure of the FIR in Crime No.379 of 2016 of V Town Police Station, Nellore, Sri Potti Sriramulu Nellore District, in the year 2018 itself, no further orders are necessary in the criminal petition and, accordingly, the Criminal Petition is closed.

As a sequel, miscellaneous applications, if any, pending in the criminal petition shall stand closed.

VENKATESWARLU NIMMAGADDA, J

24th June, 2022
cbs

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Criminal Petition No.13794 of 2016

24th June, 2022

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