

**IN THE HIGH COURT OF JUDICATURE AT
HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE
OF
ANDHRA PRADESH**

CRIMINAL PETITION No.7907 of 2015

Between:

Gaddam Haranadha Rao

... Petitioner/A-1

and

The State of Andhra Pradesh rep. by the Public
Prosecutor and another

... Respondents

DATE OF JUDGEMENT PRONOUNCED: 14-08-2015

SUBMITTED FOR APPROVAL:

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

1. Whether Reporters of Local newspapers
may be allowed to see the Judgment?
Yes/No

2. Whether the copies of judgment may be
Yes/No
marked to Law Reporters/Journals?

3. Whether Their Ladyship/Lordship wish to
Yes/No

see the fair copy of the Judgment?

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.7907 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioner/A-1 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.69 of 2015 of Kothuru Police Station, Srikakulam District registered at the instance of the 2nd respondent for the offence punishable under Sections 323, 506 IPC and Section 3 (1) (x) of SC/ST (POA) Act, 1989 (for short" the Act").

2. Heard the learned counsel for the petitioner/A-1 and the 1st respondent-State represented by the Public Prosecutor before admission, before ordering notice to the 2nd respondent and perused the material on record including the report of the *de facto* complainant in registering above crime and also another report registered as Cr.No.70 of 2015 under Sections 387, 323 IPC by the same police stations outcome of the report of the petitioner against the *de facto* complainant and others.

3. It is the submission made by counsel for the petitioner/A-1 that it is a counter blast of Cr.No.70 of 2015

by misusing the provisions of the Act.

4. As submitted by the learned Public Prosecutor, investigation is in progress, it is premature for this Court to expression any opinion when accusation attracting the provision of Section 3 (x) of the Act pending investigation. However, from the factual matrix, the petitioner is entitled to concession of bail.

4. Accordingly, the Criminal Petition is disposed of giving liberty to the petitioner/A-1 to surrender before the learned Magistrate and with affidavit of surrender on the same day file regular bail application before the learned Special Judge with notice to the Public Prosecutor concerned and the learned Special Judge, after hearing, shall grant bail on the same day with necessary conditions. The learned Special Judge can dispense with the presence of the accused at post bail stage pending investigation before concerned Court. Further remedies, if any, are left open in the event of filing charge sheet for any of the offences and any cognizance taken by the learned Magistrate. Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

14-08-2015

nvl