

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P.No.9451 of 2015

ORDER :

Heard learned counsel for the petitioners/A1 and A2 in Crime No.642 of 2015 of S.R.Nagar Police Station registered for an offence punishable under Section 3(1)(x) of SC/ST (POA) Act and Section 506 of IPC as well as the first respondent-State before admission and before notice to the second respondent *defacto* complainant and perused the material on record.

It is the contention of the learned counsel for the petitioners that for the alleged debt of Rs.1 lakh, even allegedly obtained cheque as security the so called demand for payment does not arise much less in the alleged rythu bazaar on 04.08.2015 in the presence of so called persons for the alleged abuse and there is also delay in reporting the occurrence on 07.08.2015, had there been any truth of the occurrence happened on 04.08.2015 and it is a false case viewed to bring in the civil dispute by abuse in the provisions of the Act.

However, the facts fall short for this Court at this stage to admit the quash of proceedings, but for the factual matrix entitled for consideration of bail.

Accordingly, the Criminal Petition is disposed of by a direction to the petitioner to surrender before the learned Magistrate concerned with affidavit of surrender on the same day and move for regular bail before the learned Special Judge and the learned Special Judge shall grant bail on the same day with

necessary conditions. Needless to say at the post bail stage presence of the accused before the learned Magistrate concerned shall be dispensed with pending investigation. Further remedy is left open in the event of police filing a final report and any cognizance taken by the learned Magistrate concerned.

Miscellaneous petitions, if any pending, in this Criminal Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 18.09.2015
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