

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO
CRIMINAL PETITION No.8464 of 2015

ORDER:

This Criminal Petition is filed by the Petitioner/Accused under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.23 of 2015 of Bandlamottur Police Station, Guntur District, registered for the offence punishable under Section 417 IPC and Section 3(1)(x) and 3 (1) (xi) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act').

2. Heard learned counsel for the petitioner/accused and also the 1st respondent represented by the Public Prosecutor, before admission and before issuing notice to the 2nd respondent/*de facto* complainant and perused the material on record.

3. It is the contention of learned counsel for the petitioner/accused that it is *modus operandi* in misusing the provisions of the Act against the accused person, by the *de facto* complainant and their family members; that mother of the *de facto* complainant gave report against the petitioner and another and the same was registered as Women missing case and after investigation, police dropped the action and referred the case 'as false' and not satisfied with the same, a further allegation is engineered in the present report by false implication.

4. The facts in fact fall short for this Court to admit the application under Section 482 Cr.P.C to quash the F.I.R, but for from what is discussed supra, the accused is entitled to the concession of bail.

5. Having regard to the above, the criminal petition is disposed of giving liberty to the petitioner/accused to surrender before the learned Magistrate concerned and on same day with affidavit of surrender move for regular bail before the learned Special Judge and with notice

to Special Public Prosecutor and further in such an event, after hearing, the learned Special Judge shall consider and grant bail on the same day with necessary conditions. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

SEPTEMBER 22, 2015
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HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

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Date: 22.09.2015

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