**THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY**

**CRIMINAL PETITION No.13704 of 2015**

**ORDER:**

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners/A.3 and A.4 in Crime No.210 of 2015 on the file of the Station House Officer, Nuzvid (R) Police Station, Krishna District, registered for the offences under Sections 323 and 506 read with 34 I.P.C. and Section 3 (1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor representing the State.

3. A perusal of the record reveals that the petitioners are accused No.3 and 4 and the second respondent is the *de facto* complainant in Crime No.210 of 2015.

4. As per the allegations made in the complaint, on 26.10.2015, the petitioners along with others came to the land of the second respondent and insulted him in the name of his caste. It is further alleged that the petitioners along with others have beat the second respondent and also threatened him with dire consequences.

5. Whether the petitioners have committed the alleged offences or not will come to light during the course of investigation only. While exercising the inherent power under Section 482 Cr.P.C., the Court has to take into consideration the allegations made in the complaint only. The Court is not justified in embarking upon an enquiry as to probability, reliability or genuineness of the allegations made in the complaint at the initial stage of investigation. The material placed before the Court is *prima facie* sufficient to investigate into the matter in order to ascertain the truthfulness or otherwise of the allegations made in the complaint.

6. Having regard to the facts and circumstances of the case and also the principles enunciated by the Supreme Court in **R.P.Kapoor v. State of Punjab** and **State of Haryana v. Bhajanlal**, I am of the considered view that it is not a fit case to quash the proceedings at the initial stage of the investigation.

7. The learned counsel for the petitioners submitted that the concerned Station House Officer may be directed not to arrest the petitioners till completion of the

investigation.

8. Taking into consideration the facts and circumstances of the case, this Court is inclined to direct the Station House Officer, Nuzvid (R) Police Station, Krishna District, not to arrest the petitioners/A.3 and A.4 in Crime No.210 of 2015 till completion of the investigation.

9. With the above direction, the Criminal Petition is dismissed.

10. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

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**T.SUNIL CHOWDARY, J**

Date: 22.12.2015

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