

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.5209 of 2015

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ORDER :

This Criminal Petition is filed by the Petitioner/Accused Nos.1 to 3 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.60 of 2015 of Totapalli Gudur Police Station, SPSR Nellore District registered for the offences punishable under Sections 324, 323, 506, 290 read with 34 I.P.C and Section 3(i)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2) Heard the learned counsel for the petitioners/A-1 to A-3 and the 1st respondent represented by the Public Prosecutor before admission and before issuing notice to the 2nd respondent/defacto-complainant and perused the material on record.

3) A perusal of the material on record, falls short for this Court even to admit the application under Section 482 Cr.P.C to quash the proceedings but for the facts from a close perusal show earlier the defacto-complainant laid a report registered as Crime No.81 of 2008 and it was tried as S.C. No.14 of 2010 for the offences punishable under Sections 324, 326 read with 34 I.P.C and Section 3(1)(x) of the Scheduled Caste and the Scheduled Tribe (Prevention of Atrocities) Act, 1989, where the defacto-complainant

herein was P.W-1 and there appears also a civil dispute between the parties covered by O.S. No.609 of 2008 and A-1 also informant against the 2nd respondent-defacto-complainant and others vide Crime No.61 of 2015 under Section 324 read with 34 I.P.C which also speaks the outcome of occurrence on 26.04.2015 at 23.00 hours.

4) Having regard to the above and since the petitioner is entitled to the concession of regular bail, the petition is disposed of giving liberty to the petitioner to surrender before the learned Magistrate concerned and move for regular bail on same day with affidavit of surrender before the learned Special Judge and in such an event the learned Judge shall, after hearing, the public prosecutor concerned grant bail atleast by next day and with necessary conditions.

5) With the above observations, the petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

24.06.2015
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