

THE HON'BLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.8618 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.142 of 2015 of Prathipadu Police Station, East Godavari District, registered for the offences punishable under Sections 341, 324 and 509 I.P.C. and Sections 3(i)(X) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard the learned counsel for the petitioner and respondent No.1 – State represented by the Public Prosecutor (Andhra Pradesh) before admission, and before ordering notice to respondent No.2 – *de facto* complainant, and perused the material on record including the zerox copy of the wound certificate of the *de facto* complainant, which was submitted by the learned Public Prosecutor, as required by this Court.

3. After perusal of the entire material on record, the material falls short for this Court to admit the Criminal Petition for quashing under Section 482 Cr.P.C., but for to say the factual matrix, when compared the F.I.R. with wound certificate, entitles to the concession of bail by the petitioner.

4. Accordingly, the Criminal Petition is disposed of giving liberty to the petitioner to surrender before the learned Special Judge concerned and move for regular bail with notice to the learned Special Public Prosecutor concerned and in such an event, after hearing, the learned Judge shall grant bail with necessary conditions on the same day. Needless to say, the presence of the petitioner be dispensed with at post bail stage pending investigation before the Court concerned.

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

Date: 9.9.2015
AMD

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