

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.8377 of 2015

ORDER :

This Criminal Petition is filed by the petitioners/accused under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.66 of 2015 of Kandukur Rural Police Station, Prakasam District registered for the offences punishable under Sections 506 I.P.C. and 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Heard the learned counsel for the petitioners and also the respondent-State represented by the Public Prosecutor before admission and perused the material on record.

It is brought to the notice of the Court by the learned counsel for the petitioners that police also registered similar crime in crime No.65 of 2015, outcome of the similar report and this Court vide its order dated 12.08.2015 in CrI.P.No.7685 of 2015 disposed of the same, directing the Special Judge to grant bail to the accused therein.

It is submission of the *de facto* complainant and other persons that police misusing the provisions and filing cases one after another and it is an outcome of such and reading of the complaint enclosure pages 9 and 10 even no way convey any wording of occurrence taken place in the public view within the meaning, police to register crime under

Section 3(i)(x) of the Act much less for the offence under Section 506 I.P.C.

Having regard to the above and from the substance in the submission, though the case falls short for this Court to admit the application to quash the F.I.R. and the investigation shall go on, but the factual matrix entitles to the concession of bail.

Accordingly, this petition is disposed of giving liberty to surrender before the learned Magistrate, within 10 days from the date of receipt of this order, and move a regular bail application before the learned Special Judge with affidavit of surrender with notice to the Special Public Prosecutor and in such an event, the learned Special Judge shall consider and grant bail with necessary conditions on the same day. The learned Magistrate can dispense with the presence of the petitioners at the post bail stage. Needless to say further remedies, if any, to the petitioners after taking cognizance by the learned Magistrate are left open.

The miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:31-08-2015

pab