

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.4491 of 2014

-

ORDER :

This criminal petition is filed by the petitioners/A.1 to A.3 under Section 482 Cr.P.C seeking to quash the proceedings in S.C.No.7 of 2013 on the file of the District and Sessions Judge-cum-Special Court for Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Ranga Reddy District, for the offences punishable under Sections 323 and 506 IPC and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act').

2. Heard the learned counsel for the petitioner as well as the 1st respondent-State represented by the Public Prosecutor before admission and before ordering any notice to the 2nd respondent and perused the material on record.

3. A perusal of the material falls short for this Court to admit the application under Section 482 Cr.P.C., the same is disposed of giving liberty to the petitioners to file an application under Section 227 Cr.P.C. before the trial Court for hearing the same under Sections 226 to 228 Cr.P.C. and the learned Special Judge shall pass appropriate orders only basing on the prosecution material as laid down in **State of Orissa v. Debendranath**

Padhi^[1]. Needless to say, in such an event, an

application filed under Rule 37 of the Criminal Rules of Practice by the petitioners/accused, the learned Special Judge shall consider to permit one of the accused to represent the other accused and pass orders so permitting unless any personal appearance is required to all so to appear.

4. Accordingly, the criminal petition is disposed of.

5. Miscellaneous petitions pending, if any, shall stand dismissed

Dr. B. SIVA SANKARA RAO, J

23rd June 2015.

mar

[\[1\]](#) (2005) 1 SCC 568