

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P. No.8527 of 2015

ORDER :

This Criminal Petition is filed by the petitioners/accused Nos.1 to 5, under Section 482 Cr.P.C seeking to quash the proceedings in FIR No.105 of 2015 of Mummidivaram Police Station, East Godavari District registered for the offences under Section 323 r/w 34 IPC and Sections 3(1)(x) and 3(1)(xi) of SC/ST POA Act, 1989.

2) Heard learned counsel for the petitioners/accused Nos.1 to 5 as well as 1st respondent—State represented by learned Public prosecutor before admission and before ordering notice to 2nd respondent—de facto complainant at length and perused the material.

3) A perusal of the material goes to show that earlier one Pithani Narasimha Murthy made a complaint against petitioners 1 to 3 alleging that even after receiving the amount, they are not executing sale deed in his favour in respect of the land admeasuring Ac.0-60 cents. The said Pithani Narasimha Murthy has given the said land to the 2nd respondent on lease. While so, the 2nd respondent made a complaint alleging that while he and his wife are doing work in said land, petitioners came and beat him and his wife and abused them in the name of caste. Therefore, the aforesaid case is registered against the petitioners for the aforesaid

offences.

4) Having regard to the above, as the material falls short for this Court to admit the application filed under Section 482 Cr.P.C, but for to the entitlement of concession of regular bail, the Criminal Petition is disposed of giving liberty to petitioners to surrender themselves before the learned Special Judge and move for regular bail with notice to special public prosecutor concerned and in such an event, the learned Special Judge shall grant bail with necessary conditions on the same day. Needless to say at post bail stage, the presence of the petitioners before the learned Magistrate may be dispensed with. Further remedy is left open in the event of police filing final report and after taking cognizance by the learned committal Magistrate.

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

Dr. B. SIVA SANKARA RAO, J

28.08.2015

Prv

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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