

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9512 of 2015

ORDER :

This Criminal Petition is filed by the Petitioners/ accused Nos.3 to 5 under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.58 of 2015 of Gudur Police Station, Warangal District for the offence punishable under Sections 324, 506, 354 r/w 34 IPC and Section 3 (i) (x) of SC/ST POA Act, 1989, which is outcome of report of 2nd respondent—de facto complainant.

2) Heard learned counsel for the petitioners/ accused Nos.3 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. Perused the material on record.

3) It is not in dispute including from the submission of the learned public prosecutor in saying that there is prima facie accusation against the petitioners under Section 3 (i) (v) and (xi) of SC/ST POA Act, if not Section 3 (i) (x) of SC/ST POA Act and that accused Nos.1 and 2 were already enlarged on regular bail.

4) As the facts falls short for this Court to admit the Criminal Petition filed under Section 482 Cr.P.C to quash the proceedings but for to the entitlement of concession of regular bail, the Criminal Petition is disposed of, giving liberty to petitioners to surrender before the learned Special Judge concerned and move for regular bail with notice to special public prosecutor concerned and in such event, the learned Special Judge shall grant bail with necessary conditions on the same day. Needless to say, at post bail stage, pending investigation their presence before the Court concerned can be dispensed with. Further remedies are left open to them, in the event of police filing final report and after taking cognizance by the learned Special Judge.

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

Dr. B. SIVA SANKARA RAO, J

Dt.12.10.2015

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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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