

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7486 of 2015

ORDER :

This Criminal Petition is filed under Section 438 Cr.P.C. by the petitioner/accused to quash the proceedings in Crime No.111 of 2015 on the file of the Station House Officer, Balanagar Police Station, Cyberabad, Ranga Reddy district, registered against him for offence punishable under Section 3(1) (x) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act').

2. Heard the learned counsel for the petitioner, the Learned Public Prosecutor for the 1st Respondent-State before admission and before notice to the 2nd respondent-defacto-complainant and perused the material placed on record.

3. It is the contention of the learned counsel for the petitioner/accused that the reading of the report no way discloses any intentional insult or abuse in public view for nothing mentioned in the report that any person was present at the time of occurrence of alleged offence therefrom it will not attract the alleged offence under the Act.

4. A perusal of the record, the material falls short for this Court to admit the application for quashing under Section 482 Cr.P.C, and since the petitioner is entitled to the concession of regular bail, the petition is disposed of giving liberty to the petitioner to surrender before the learned Magistrate concerned and move for regular bail on same day with affidavit of surrender before the learned Special Judge and in such an event the learned Judge shall, after hearing the public prosecutor concerned, grant bail on the same day necessary conditions. Needless to say after filing charge sheet, the further remedies, if any, to the petitioner is left open.

5. With the above observations, the Criminal Petition is disposed of. As a sequel, miscellaneous petitions pending, if any, in this criminal petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 04.08.2015

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