

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.10436 of 2015

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ORDER :

This Criminal Petition is filed by the petitioner/accused under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.94 of 2015 of Nellore VI Town Police Station, S.P.S.R.Nellore District, registered for the offence punishable under Sections 290 and 506 I.P.C and 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act').

Heard the learned counsel for the petitioner/accused and also the learned Public Prosecutor for the State before admission and before notice to the 2nd respondent/*de-facto* complainant. Perused the material on record.

It is the submission of the learned counsel for the petitioner that there is no public view even from very allegations and the offence under Section 3(i)(x) of the Act has no application and it is a false implication against the co-employees and others misusing the provisions.

Though the facts fall short for this Court to admit the application but the factual matrix entitles to the concession of bail.

Accordingly, this criminal petition is disposed of giving liberty to the petitioner to surrender before the learned Magistrate concerned and with affidavit of surrender move for regular bail before the learned Special Judge with notice to the Special

Additional Public Prosecutor and in such an event the learned Special Judge shall hear and grant bail on the same day with necessary conditions. Needless to say, at the post bail stage pending investigation, the presence of the petitioner before the Court can be dispensed with. Further remedies left open to the petitioner, in the event of police filing final report and any cognizance taken by the learned Magistrate concerned.

Miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:12-10-2015

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