

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9159 of 2015

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ORDER :

This Criminal Petition is filed by the petitioners/A1 to A4 under Section 482 Cr.P.C seeking to quash the proceedings in F.I.R.No.66 of 2015 of Nandalur Police Station, Y.S.R.Kadapa District, registered for the offences punishable under Sections 448, 354, 323, 509 r/w 34 I.P.C. and 3(i)(x))(xi)(xv) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act').

Heard the learned counsel for the petitioners and also the respondent-State represented by the Public Prosecutor before admission and perused the material on record including earlier crime No.106 of 2014 registered against A1 herein for the offence punishable under Sections 506, 509 and 354 I.P.C. and 3(i)(x) of the Act i.e., subject matter of W.P.No.35714 of 2014 with interim stay of arrest of A1, the petitioner therein dated 03.12.2014 and also crime No.35 of 2015 dated 24.04.2015 for the offence punishable under Sections 420 I.P.C. and 3(i)(xv) of the Act by the self same complainant against petitioners 1 and 2 herein who were claimed arrested and enlarged on bail and the present crime also outcome of report of the 2nd respondent/de facto complainant dated 26.08.2015 registered for the offences punishable under Sections 448, 354, 323, 509 r/w 34 I.P.C. and 3(i)(x))(xi)(xv) of the Act.

It is the contention of the learned counsel for the petitioners that it is *modus operandi* for the third round in filing cases abusing the process of

the Act and it is crystal clear from the contents of the F.I.R. referred supra and it is false accusation bringing the civil dispute of already launched by hook and crook to get back by re-alienation.

Whereas, it is the submission of the learned Public Prosecutor that a perusal of contents of the F.I.R. no way requires interference much less any concession of

bail by the petitioners for atrocity committed on the victims taking advantage of their societal conditions and social life.

Though the facts fall short for this Court to admit the application but for what are the facts discussed supra from the respective contentions, it is a fit case to consider the concession of bail entitled by the petitioners.

Accordingly, this criminal petition is disposed of giving liberty to the petitioners 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 including any presence of petitioners for investigate before police. Further remedies left open to the petitioners, in the event of police filing final report and any cognizance taken by the Court concerned.

The miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:08-09-2015

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