

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.4073 of 2015

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners/A.1 to A.14 in Crime No.28 of 2015 of Panjani Police station, Chittoor District, registered for the offences under Sections 147, 148, 324, 354 read with 149 IPC and Section 3(i)(x)(xi) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State.

3. A perusal of the record reveals that the petitioners are A.1 to A.14 and the 1st respondent is the *de-facto* complainant. As per the allegations made in the complaint, on 06.04.2015, petitioner Nos.2, 3, 4 and 14/A.2, A.3, A.4 and A.14 insulted the 1st respondent in the name of his case. It is further alleged that on 07.04.2015 the 1st petitioner/A.1 insulted the 1st respondent in the name of his caste. As per the allegations made in the complaint, the 1st petitioner/A.1 herein tried to outrage the modesty of one Manemma. It is further alleged that the petitioners herein beat the 1st respondent and his group people.

4. A perusal of the record further reveals that basing on the complaint given by the petitioners group, the police registered a criminal case against the 1st respondent group in Crime No.29 of 2015 for the offences under Sections 147, 148, 323, 506 read with 149 IPC.

5. Learned counsel for the petitioners submitted that the

concerned Station House Officer/Sub Divisional Police Officer may be directed not to arrest the petitioners.

6. Taking into consideration of the facts and circumstances of the case and also the principle enunciated in **Arnesh Kumar v State of Bihar**^[1] the Sub Divisional Police Officer, Madanapalle is hereby directed to follow the procedure as contemplated under Section 41-A Cr.P.C., in Cr.No.28 of 2015 of Panjani PS, so far as the petitioners/A.1 to A.14 are concerned.

7. With the above observation, the criminal petition is dismissed. Consequently, Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

-

T.SUNIL CHOWDARY, J

-

Date: 29.04.2015

BSS

-

HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

-

-

-

CRIMINAL PETITION No.4073 of 2015

36

-

-

-

-

-

-

-
-
-
-
-
-
-
-
-
-
-
-
-
-

Date: 29.04.2015

BSS

[\[1\]](#) 2014 (8) SCALE 250