

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THURSDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.6868 of 2015

Between:

Jinnareddy Venkateshwarlu and 24 others

..... PETITIONERS/A1 to A25

AND

Banothu Hari Babu and another

.....RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: **30.07.2015**

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

1. Whether Reporters of Local newspapers may be Yes/No
allowed to see the Judgments?
2. Whether the copies of judgment may be marked Yes/No
to Law Reporters/Journals

3. Whether Their Ladyship/Lordship wishes to see Yes/No
the fair copy of the Judgment?

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.6868 of 2015

ORDER:

This criminal petition is filed under Section 482 Cr.P.C to quash the proceedings in Cr.No.189 of 2014 on the file of Mahabubabad Town Police Station, Warangal District, registered for the offences punishable under section 365 IPC and under section 3(i)(x) of SCs & STs (POA) Act.

Heard the learned counsel for the petitioners/A1 to A25 and the learned Additional Public Prosecutor, representing the State.

Basing on the complaint lodged by the 1st respondent/*de facto* complainant, the above crime was registered against the petitioners/A1 to A25, alleging that when his wife went to MPDO office to cast her vote in the MPP Elections and when she was talking over phone in the presence of policemen, the petitioners came and abused his wife in her caste name, abducted her and have taken her into their car, and when he tried to stop them, the petitioners beat him, and in the said process, the 1st respondent/*de facto* complainant and his wife lost their gold ornaments and some cash.

It is the contention of the learned counsel for the petitioners/A1 to A25 that the present case is politically motivated against the members of the ruling party and there are no specific overt acts attributed against the petitioners.

The allegations levelled in the complaint, *prima facie*, reveal some altercation on the date of incident. The complaint is not specific as to who abused the wife of the 1st respondent/*de facto* complainant in the name of her caste and who beat the

de facto complainant. However, it is a matter, which requires investigation by the police, and there are no valid grounds to quash the First Information Report.

In the facts and circumstances of the case, it is directed that the investigating agency shall proceed with the investigation, however, shall not arrest the petitioners/A1 to A25 till the investigation is completed and charge sheet is filed.

With these observations, the Criminal Petition is disposed of.

Pending miscellaneous applications, if any, shall stand closed in consequence.

M.S.K.JAISWAL,J

Date: 30.07.2015

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