

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO
CRIMINAL PETITION No.7953 of 2015

ORDER :

This Criminal Petition is filed by the Petitioner/Accused under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.209 of 2015 of Nandyal Rural Police Station, Kurnool District registered at the instance of the 2nd respondent for the offence punishable under Sections 323, 355, 506 IPC and Section 3 (1) (x) of SC/ST (POA) Act, 1989 (for short "the Act").

2. Heard the learned counsel for the petitioner and the 1st respondent-State represented by the Public Prosecutor before admission, before ordering notice to the 2nd respondent and perused the material on record.

3. The material on record falls short to admit the application to quash the F.I.R. but for say investigation shall go on and the factual matrix entitles the petitioner to the concession of bail from the contention of the petitioner that taking advantage of indifferences crept between the parties right from 2013 election, it is misused by abusing provisions of the Act.

4. Having regard to the above, the Criminal Petition is disposed of giving liberty to the petitioner to surrender before the learned Magistrate and with affidavit of

surrender on the same day file regular bail application before the Special Judge with notice to the Special Public Prosecutor concerned and in such an event, the learned Special Judge, after hearing, shall grant bail on the same day with necessary conditions. The learned Judge can dispense with the presence of the accused at post bail stage pending investigation before the Court. Further remedies, if any, are left open in the event of filing charge sheet for any of the offences and any cognizance taken by the learned Magistrate. Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

21-08-2015

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