

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

CRIMINAL PETITION No.7685 of 2015

Between:

Kanjula Subba Reddy and 18 others

... Petitioners/Accused

and

The State of Andhra Pradesh through its Station House Officer, Police Station, Kandukuru (Rural) Prakasam District rep. by its Public Prosecutor.

... Respondent

DATE OF JUDGEMENT PRONOUNCED: 12-08-2015

SUBMITTED FOR APPROVAL:

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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| 1. Whether Reporters of Local newspapers may be allowed to see the Judgment? | Yes/No |
| 2. Whether the copies of judgment may be marked to Law Reporters/Journals? | Yes/No |
| 3. Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7685 of 2015

ORDER :

This Criminal Petition is filed by the petitioners/accused under Section 482 Cr.P.C seeking to quash the proceedings in Crime No.65 of 2015 of Kandukur Rural Police Station, Prakasam District registered for the offences punishable under Sections 3(1)(iv), 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Sections 6 and 7 of P.C.R. Act.

2) 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 the averments in the common report.

3) It is the contention of the learned counsel for the petitioners that a perusal of the F.I.R no way attracts the ingredients of Sections 3(1)(iv) or 3(1)(x) of the SC and ST (Prevention of Atrocities) Act. Whereas the learned Public Prosecutor contended that the allegation show that the application of Section 3(1)(x) though not Section 3(1)(iv) of the Act regarding the command against a particular community not to attend the works or not to supply milk or not to attend the fields by common boycott against that community who belong to Scheduled Caste. It is premature to express any opinion at this stage but for to consider the

factual matrix besides no specific date of the alleged incident given. Even taken of the above allegation to attract any of the ingredients of Section 3(1)(x) of the SC and ST (Prevention of Atrocities) Act, entitles to concession of regular bail.

4) Accordingly, this petition is disposed of giving liberty to surrender before the learned Magistrate, within 10 days from the date of receipt of this order, and move a regular bail application before the learned Special Judge with affidavit of surrender before the learned Magistrate with notice to the Special Public Prosecutor and in such an event, the learned Special Judge shall consider and grant bail with necessary conditions on the same day. The learned Magistrate can dispense with the presence of the petitioners post bail stage. Needless to say further remedies, if any, to the petitioners after taking cognizance by the learned Magistrate are left open.

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

Dr. B. SIVA SANKARA RAO, J

Dt.12th August, 2015

KSH