

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

Crl.P. No.8730 of 2015

ORDER :

This Criminal Petition is filed by the petitioner/accused under Section 482 Cr.P.C seeking to quash the proceedings in FIR No.148 of 2015 of Kovur Police Station, SPSR Nellore District registered for the offences under Section 324 IPC and Section 3(1)(x) of SC/ST POA Act, 1989.

2) Heard learned counsel for the petitioner/accused as well as 1st respondent—State represented by learned Public prosecutor before admission and before ordering notice to 2nd respondent—de facto complainant at length and perused the material on record.

3) It is the submission of the learned counsel for the petitioner that false accusation is engineered by misusing the provision of Section 3(1)(x) of SC/ST POT Act, 1989 and also Section 324 IPC.

4) Having regard to the above, as the material falls short for this Court to admit the application filed under Section 482 Cr.P.C, but for to the entitlement of concession of regular bail, the Criminal Petition is disposed of giving liberty to petitioner to surrender himself before the learned Special Judge and move for regular bail with notice to special public prosecutor concerned and in such an event,

the learned Special Judge shall grant bail with necessary conditions on the same day. Needless to say at post bail stage, the presence of the petitioner before the learned Magistrate may be dispensed with. Further remedy is left open in the event of police filing final report and after taking cognizance by the learned committal Magistrate.

5) Miscellaneous petitions, if any pending in this Criminal Petition, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

28.08.2015

Prv

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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