

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO
CRIMINAL PETITION No.7720 of 2015

ORDER :

The Criminal Petition is filed by the petitioners, who are accused Nos.1 to 5, under Section 482 Cr.P.C to quash the proceedings in Crime No.46 of 2015 of Peddamudium Police Station, YSR Kadapa District registered for the offences punishable under Section 323, 354 and 509 I.P.C read with 34 I.P.C.

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

3) It is the contention of the learned counsel for the petitioners/accused Nos.1 to 5 that it is nothing but a counter blast to the case in Crime No.45 of 2015 of even date registered against the defacto-complainant's husband as A-3 among five accused for the atrocity under Section 3(1)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and outraging the modesty of V.Padmavathi who is A-2 herein, happened on the morning of 11.04.2015. The F.I.R. No.45 of 2015 registered at about 7.30 P.M of the same Police Station within 9 K.Ms and the present crime No.46 of 2015 registered at about 8.00 P.M from same distance of the same occurrence allegedly happened at about 7.00

A.M. It is the submission of the learned counsel for the petitioners that it is nothing but a counter blast and subsequent to their reporting of the occurrence, this case is foisted.

4) In fact, the material falls short for this Court to admit the application under Section 482 Cr.P.C at this stage to quash the crime proceedings, but for from the factual matrix entitled to the concession of bail by giving liberty to the petitioners to surrender before the learned Magistrate concerned and move for regular bail with notice to the A.P.P concerned, in such an event, the learned Magistrate shall hear and grant bail to the accused with necessary conditions on the same day. Needless to say the learned Magistrate can dispense with the presence of the petitioners at post bail stage. Further remedies, if any, to the petitioners after filing final report and after taking cognizance by the learned Magistrate, are left open.

5) With the above observations, the petition is disposed of. Consequently, the miscellaneous petitions, if any pending, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

10.09.2015
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