

HON'BLE Smt JUSTICE ANIS

CRIMINAL PETITION No.2663 of 2015

ORDER:

This Criminal Petition is filed by the petitioner, under Section 482 Cr.P.C, seeking quashing of investigation in Crime No.20 of 2015 of Kosigi Police Station, Kurnool District, registered for an offence punishable under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act').

The allegation in the report lodged by the de facto complainant is that when she, along with another, went to the house of the petitioner – accused for pension, the petitioner is alleged to have abused in the name of their caste. Based on the said allegation, the aforesaid crime came to be registered.

Learned counsel for the petitioner contends that, when the de facto complainant came to the house of the petitioner, he never insulted nor abused her in the name of her caste; that the petitioner is innocent and has not committed the offence, as alleged; and, therefore, seeks to quash the proceedings.

Learned Additional Public Prosecutor opposed the Criminal Petition contending that, since the investigation is still going on, the question of quashing investigation does not arise and, therefore, prayed to dismiss the petition.

Since specific accusation is levelled against the petitioner that he insulted the de facto complainant in the name of her caste, I am not inclined to quash the proceedings. However, the petitioner shall surrender before the Special Judge, and file an application for grant of bail, in which event, the learned Judge shall consider and dispose of the application on its own merits, on the same day or on the next day, in accordance with law.

With the aforesaid observation, the Criminal Petition is dismissed.

Miscellaneous petitions pending, if any, shall also stand dismissed.

ANIS,J

Date:02.04.2015

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