

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36471 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to call for the records in connection with Crime No.54 of 2015 on the file of Adoni II-Town Police Station, Kurnool District, against them for the offences punishable under Sections 323 and 498-A r/ w. 34 IPC and 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act'), on the complaint lodged by the 5th respondent, and quash the same.

Heard and perused the material available on record.

The 5th respondent is the daughter-in-law of the 3rd petitioner. Thereafter, the parents of her husband started harassing her. On 30.03.2015, at 6.00 pm., the petitioners, who are paternal aunts and mother of the husband of the 5th respondent, abused the 5th respondent and her family members in the name of their caste and beat the 5th respondent, due to a petty quarrel between the children in the street.

The case of the petitioners are innocent of the offences alleged against them and they never abused the 5th respondent in the name of her caste and the allegations in the complaint do not attract the offences under Section 3 (1) (x) of the Act, and that the petitioners are ladies and they are apprehending arrest in the hands of police.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners and

others, and the respondents are investigating into the matter in accordance with law.

Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the facts and circumstances of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, respondents Nos.2 to 4 are directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned, as and when required, and cooperate with the investigation. In case, the charge sheet is filed before the Court concerned, and summons are received by the petitioners, they shall appear before the Court concerned and execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each, for their future appearance.

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

October 28, 2016.
KTL

