

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL REVISION CASE No.2438 of 2016

ORDER:

Assailing the docket order dated 02.09.2016 passed in SR No.1344 of 2016 by the Special Judge for Cases Trial under SCs & STs (POA) Act, wherein the complaint filed by the petitioner was returned for presentation before proper Court, present Criminal Revision Case is preferred.

Heard and perused the material on record.

The facts in issue are that the petitioner herein filed a private complaint against the accused for the offences punishable under the provisions of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act before the Special Sessions Court under SCs & STs Act-cum-VII Additional District Court, West Godavari at Eluru. As observed above, the said complaint was returned vide order dated 02.09.2016. Challenging the same, present revision is filed.

It is to be noted that as per proviso to Section 14 of the Amended Act *"the Courts so established or specified shall have power to directly take cognizance of offences under this Act."*

From a reading of the above, it is clear that Special Court is empowered to entertain the complaint and take cognizance of the offence under the provisions of the Act, by following the procedure contemplated under law. Hence, the order under challenge is set

aside and the Special Court is directed to proceed further in the matter in accordance with law.

Accordingly, the Criminal Revision Case is allowed.

Miscellaneous petitions pending in this revision, if any, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

29.09.2016

Note : Registry is directed to return the originals after substituting the same with certified copies.

