

THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRIMINAL PETITION No.7833 of 2016

ORDER

This petition under Section 482 Cr.P.C. is filed by the petitioner/accused seeking to quash the proceedings in Cr.No.105 of 2016 of Kadiyam Police Station, Rajamahendravaram Urban, East Godavari District, registered for the offence punishable under Section 3(1)(r) and (w)(i) of SCs & STs (POA) Act, 1989, against him.

2. Heard learned counsel for the petitioner/accused and learned Additional Public Prosecutor representing the State.

3. It is alleged in the complaint that the accused abused the de facto complainant in filthy language in the name of her caste due to the disputes with regard to money transactions.

4. Specific allegations were made against the petitioner in the complaint. This is a matter which requires investigation by the police. The truth or otherwise of the allegations can only be decided during course of investigation or trial. I see no ground to interdict the investigation at this stage and quash the first information report.

5. In the facts and circumstances of the case and as requested by the learned counsel for the petitioner, the Criminal Petition is disposed of, directing the investigating agency to proceed with the investigation, however, without arresting the petitioner/accused for a period of one month from today in the above crime. The petitioner/accused shall appear before the investigating agency as and when required during course of investigation.

Miscellaneous applications, if any, pending in this criminal petition shall stand closed.

M.S.K.JAISWAL,J

9th June, 2016

sj