

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.1336 of 2014

ORDER:

This criminal petition, under Section 482 of the Code of Criminal Procedure, is filed by the petitioners-Accused Nos.1 to 3 seeking to quash the proceedings in PRC No.22 of 2013 on the file of IV Additional Chief Metropolitan Magistrate, Hyderabad.

Heard and perused the material available on record.

The offences alleged against the petitioners are punishable under Sections 3(1)(v)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and 406, 418, 420, 341 and 506 IPC and 3 (5) (a) of APTAML Act. After completion of investigation, the police filed charge sheet before the Court concerned and the same was numbered as PRC No.22 of 2013.

Learned counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them and the loan was taken by the de facto complainant in the year 2007 and also the alleged abuse in the name of the caste of the de facto complainant, alleged to have taken place on 23.07.2010 and the complaint was filed in the year 2012 and hence, there was delay in lodging the complaint.

Initially, this Court granted stay of all further proceedings in PRC No.22 of 2013 for a period of six weeks. Thereafter, the stay was not extended. After perusing the material available on record, this Court is not inclined to interfere with the trial of the case since the points raised before this Court by the learned counsel for the petitioners are to be tried by the trial Court to find out the truth or otherwise of the same. At this stage, learned counsel for the petitioners requested this Court to dispense with the presence of the petitioners before the Court concerned.

Hence, the Criminal Petition is disposed of with the following directions:

The presence of the petitioners – A1 to A3 is dispensed with before the committal Court as well as the trial Court, except on the dates on which their presence is required. The petitioners shall be properly represented through their counsel on all hearing dates. Miscellaneous petitions pending if any, shall stand closed.

RAJA ELANGO, J

February 18, 2016.
KTL