

HONOURABLE MRS JUSTICE ANIS

CRIMINAL PETITION No. 14062 of 2016

ORDER:

This Criminal Petition under Section 482 Cr.P.C. is filed to quash the proceedings in FIR.No.165 of 2016 on the file of Station House Officer, Police Station, Nawabpet, Ranga Reddy District, registered for the offences punishable under Section 324 IPC read with Section 34 IPC and under Section 3(1)(s) of the SCs and STs (POA) Act, 1989..

Heard learned Counsel for the petitioner and learned Public Prosecutor representing the State. Perused the material on record.

The second respondent/Defacto complainant lodged a complaint with the police alleging that on 11.09.2016 at about 9.00 am, he attended the coolie work in the village and at that time the petitioner and his brothers came out of house and abused him touching his caste and bet him, due to which, he sustained injuries. Hence the complaint.

The learned Counsel for the petitioner contends that the allegations levelled against the petitioner do not constitute any offence much less an offence under Section 3(1)(s) of the SCs and STs (POA) Act.

The learned Public Prosecutor submits that investigation in the aforesaid crime has not yet been completed.

Having heard the learned Counsel on either side and gone through the material available on record, it is obvious that specific allegations were made against the petitioner/Accused No.1 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.

However, considering the facts and circumstances of the case, the petitioner is directed to surrender before the concerned Sessions Court and file appropriate application seeking bail. On such surrender and application for bail, the Sessions Court may consider for grant of bail with usual terms and conditions on the same day.

Subject to the above, the Criminal Petition is disposed of. Miscellaneous petitions pending consideration if any in the Criminal Petition shall stand closed in consequence. No order as to costs.

JUSTICE ANIS

DATED 28TH SEPTEMBER, 2016.
Msnr_x