

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.12238 OF 2013

ORDER:

This petition is filed under Section 482 of Criminal Procedure Code (for short "Cr.P.C.") to quash the proceedings in Crime No.72 of 2013 on the file of Peddakadubur Police Station, Kurnool District, registered for the offences punishable under Sections 341, 323 and 506 read with 34 of Indian Penal Code (for short "I.P.C.") and under Section 3 (1) (x) and 3 (1) (xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned Public Prosecutor for the State of Andhra Pradesh submitted that the entire investigation is completed and police filed the charge sheet on 30.11.2013 and the same was registered as P.R.C.No.6 of 2014 and committed to Sessions Court and the same is pending before the Sessions Court.

Learned counsel for the petitioner contended that this Court already granted interim stay of investigation in Crime No.72 of 2013 for a period of six weeks by order dated 21.10.2013. Further, this Court extended the said interim order on 16.12.2013 until further orders. But the investigating agency completed the entire investigation and filed charge sheet in contravention of the order passed by this Court and prayed to quash the proceedings in the said crime.

In such case, the remedy open to the petitioners is to take appropriate steps against the person, who violated the order of this Court and that is not a ground to quash the proceedings at this stage. Since the charge sheet is filed before the Court, the appropriate remedy, at present, available to the petitioners is to

challenge the proceedings in Sessions Case.

With the above observations, the petition is disposed of. No costs.

The miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

13.02.2017
Ksp

