

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.391 OF 2017

ORDER

Heard learned counsel appearing for the petitioners and learned Government Pleader appearing for respondents 1 to 3.

None appeared for the 4th respondent in spite of service of notice.

Challenging registration of Cr.No.270 of 2016 by the 2nd respondent based on the complaint lodged by the 4th respondent, the present writ petition is filed.

A reading of the complaint shows that there was an attack on the complainant and that except indicating the caste name of the complainant, no specific instances were mentioned, warranting registration of the crime under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. However, the allegations mentioned in the complaint are required to be investigated. In view of the same, it cannot be said that registration of crime is bad in law.

In the circumstances, this Court is not inclined to interfere with the investigation in the present crime. However, the 2nd respondent is directed to conduct investigation, in accordance with law, without arresting the petitioners. During the course of investigation, if arrest of the petitioners is warranted, appropriate orders shall be obtained from the Magistrate concerned.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending, shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

7th March, 2017
rkk

