

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.528 OF 2017

ORDER:

The present petition is filed under Section 482 of Code of Criminal Procedure, 1973, to quash FIR No.2 of 2017 of Kondapuram Police Station, SPSR Nellore District.

The petitioners alleged to have committed the offences punishable under Sections 447 & 427 read with 34 IPC and 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

Heard Sri M. Ravindranath Reddy, learned counsel for the petitioners and learned Additional Public Prosecutor appearing for the State of Telangana.

The learned counsel for the petitioners would submit that the complaint is bereft of relevant details to constitute the offences alleged against the petitioners; and that, in fact, there is no reference to petitioner No.3 at all in the complaint. Therefore, it is his submission that it is a case where it is nothing but abuse of process of Court and there is no material as such, to proceed with further investigation by the Investigating Officer.

On perusal of the record, it shows that the abusive of phrase has been occurring in the complaint, and certain relevant details of overt

acts attributed to petitioner Nos.1 and 2 are referred to in the complaint. Unless investigation is completed by collecting the evidences of witnesses, at this stage, certainly, it cannot be said that there is no *prima facie* material to proceed with further investigation.

Therefore, the Criminal Petition is dismissed. As a sequel thereto, Miscellaneous Petitions, if any, pending in the petition, stand disposed of.

January 25, 2017.
Mgr

A. SHANKAR NARAYANA, J

