

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1400 OF 2017

ORDER :

Sri G. Ravichandran, learned counsel for the petitioner, would argue that there is nothing in the complaint nor in the statement made by the mother of the *de facto* complainant, so as to attract any of the offences levelled against the petitioner, more particularly, the provisions of the Special Act i.e., Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act').

2. The petitioner herein is accused No.2, who is the father of accused No.1, viz., Samson. In the complaint, it is alleged that the accused No.1 has deceived the *de facto* complainant by inducing her sexually on the promise of marrying her and later on not obliging or keeping up the promise and no allegations are levelled against the petitioner. The only submission of the learned counsel for the petitioner is that it is a fit case to quash the First Information Report against the petitioner as it is nothing but abuse of process of law.

3. Whereas, the learned Additional Public Prosecutor for the State of Telangana, would resist the request stating that even the offence punishable under Section 3(2)(v) of the Act attracts besides the clauses (r) and (s) of the Section 3(1) of the Act.

4. There is no dispute that the *de facto* complainant belongs to scheduled caste. In the statement recorded by the police under Section 161 Cr.P.C., the mother of the *de facto* complainant-LW.2 has

clearly stated about the abuses hurled in the name of her caste by the petitioner.

5. When looked into the allegations in the complaint, certainly, it is not a case where the abuse of process of law can be viewed against the petitioner at this stage and the matter requires investigation and collection of evidence.

6. Accordingly, the criminal petition is dismissed as withdrawn at the admission stage.

7. Miscellaneous petitions pending, if any, shall stand dismissed.

A. SHANKAR NARAYANA, J

20th February 2017.

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