

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2147 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings against the petitioners, who are accused 2, 4 to 10, and 15 in P.R.C.No.40 of 2004 on the file of the Judicial Magistrate of First Class, Chintalapudi. The offences alleged are under Sections 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard the counsel for the petitioners and the Public Prosecutor appearing for the 1st respondent. None appears for the 2nd respondent in spite of notice.

3. The counsel for the petitioners mainly takes the help of the fact that the case against these petitioners was split up and the case against the other accused ended in acquittal. The learned Public Prosecutor submits that the acquittal was due to the hostility of the material witnesses.

4. In the above circumstances, even if the case is proceeded with against these petitioners, there is no scope of the petitioners being convicted. Hence, the further proceedings in the above PRC would only be an abuse of process of law.

With the above observations, the Criminal Petition is allowed and the proceedings in P.R.C.No.40 of 2004 on the file of Judicial Magistrate of First Class, Chintalapudi, are hereby quashed.

As a sequel, the miscellaneous applications, if any pending,
shall stand closed.

December 21, 2017
LMV

T. RAJANI, J

