

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7464 OF 2017

ORDER:

Heard learned counsel for the petitioners/ A1, A3 and A5 of Crime No.60 of 2017 dated 31.07.2017 on the file of Jarugumalli Police Station, Prakasam District, registered for the offences punishable under Sections 143, 353, 323 r/w 149 I.P.C. and 3(1)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 (for short 'the Act') and learned Public Prosecutor appearing for the State and the de facto complainant is not impleaded as co-respondent and perused the grounds urged in the Criminal Petition and other material on record.

A perusal of the material on record discloses that there are some differences between the de facto complainant and the 1st petitioner/ A1, in particular, among the accused. However, it is premature for this Court to make any observation or pre-judge the matter and the investigation shall go on, to ascertain the truth by the investigating officer. Hence, there is nothing to interdict the investigation.

Having regard to the above, the Criminal Petition is disposed of, directing the police to proceed with the investigation and in

the event of any necessity of arrest of the petitioners/ A1, A3 and A5, they have to follow Section 41-A Cr.P.C. and the guidelines of the Apex Court as laid down in Arnesh Kumar v. State of Bihar¹, strictly, as the offences are punishable below seven years.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:05-09-2017

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¹ (2014 (2) ALT (CrI.) 457 SC)