

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6547 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioners/ A1 & A2, seeking to quash the proceedings in Crime No.101 of 2017 on the file of Narasapuram Town Police Station, West Godavari District, registered for the offences punishable under Sections 448, 323 r/w 34 I.P.C. and Sections 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 (for short 'the Act'),

Heard learned counsel for the petitioners and learned Public Prosecutor appearing for the State, before ordering notice to respondent No.2/ de facto complainant and perused the grounds in the criminal Petition.

It is premature for this Court to entertain the criminal petition by interdicting the investigation.

Having regard to the above, the Criminal Petition is disposed of with an observation that if at all any arrest of the petitioners is required, the police have to follow Section 41-A Cr.P.C. as held in Arnesh Kumar v. State of Bihar¹, strictly, as the punishment for all the offences is below 7 years.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 01-08-2017
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¹ (2014 (2) ALT (CrI.) 457 SC)