

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

Criminal Petition No.7353 of 2017

ORDER :

Heard the learned counsel for the petitioner/ A.1 of Cr.No.90 of 2017 of V.Satram Police Station, Nellore district registered for the offences punishable u/ sec.324 IPC and Section 3(1) ® and (s) of the Scheduled Castes and Scheduled Tribes(Prevention Of Atrocities) Act and also the learned Public Prosecutor for the 1st respondent-State and notice even ordered to 2nd respondent was sent and proof of service by USR No.5819 of 2017,dt.05.10.2017 filed in proof of the same but there is no representation for the 2nd respondent, hence taken as heard and perused the interim order dt.31.08.2017, granting stay of investigation for 6 weeks from the force in the contention of the learned counsel for the petitioner of there is no public view, and the grounds urged in the quash petition and the contents of the First Information Report.

A perusal of the record shows nothing to interdict the investigation as so far as the offence u/ sec.324IPC or Section 323 IPC that attracts concerned, is a matter for investigation, so also delay of 24 hours or so in reporting the occurrence if any as a defence always left open so also on the rival contentions of any occurrence within public view that also since requires investigation.

Having regard to the above and in the result, the Criminal Petition is disposed of, however, the petitioner shall not be arrested pending investigation, though it will not prevent the police to secure the presence of the petitioner for the purpose of

investigation. All the defences available are left open to the petitioner/ A.1. Consequently, pending miscellaneous petitions, if any, shall stand closed.

Dr. B.SIVA SANKARA RAO J,

Date:25.10.2017
vvr

