

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6662 of 2017

ORDER:

Heard the learned counsel for the petitioners/accused persons in FIR No.48 of 2017 of Nallamada Police Station, Anantapur District, registered for the offences punishable under Sections 323 and 506 r/w 34 IPC and Section (1)(s) of Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act'), which is outcome of report of the 2nd respondent-defacto-complainant and perused the contents of the said report and the grounds urged in the quash petition and also report given by the petitioner to the Station House Officer, Nallamada Police Station for the occurrence and also sent by the registered post to the Superintendent of Police and Human Rights Commission and Deputy Superintendent of Police and perused the other material on record.

Prima facie there is nothing for this Court to interdict the investigation.

Having regard to the above, the Criminal Petition is disposed of without prejudice to any available future defence of the petitioners. Needless to say if at all any arrest is required, the police shall strictly follow Section 41-A of CrPC, and also the guidelines issued in the expression of the Apex Court in Arnesh Kumar Vs. State of Bihar¹.

¹ (2014) 8 SCC 273

Consequently, miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 02.08.2017
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