

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7706 of 2017

ORDER:

Heard learned counsel for the petitioners/accused Nos.1 & 2 and also learned Public Prosecutor representing the 1st respondent-State and the 2nd respondent-defacto complainant represented by learned counsel in continuation to the interim order granted from the hearing on 24.08.2017 while ordering notice to the defacto complainant and perused the grounds urged in the quash petition and the contents of the FIR. At best though it is observed in the earlier order dated 24.08.2017 in staying the investigation for six weeks that none of the offence under Section 3(1)(g) & (r) of SC & ST (POA) amended Act that apply.

A perusal from the submissions by the learned Public Prosecutor and learned counsel for the 2nd respondent-defacto complainant at best attract the offence under Section 3(1)(g) of the Act read with Section 511 IPC if any.

Having regard to the above, the Criminal Petition is disposed of by modifying the interim order of stay of investigation to stay of arrest by left open all available defence. However, the stay of arrest will not prevent the police to secure the presence of the accused for the purpose of investigation if necessary.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 12.10.2017
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