

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.45981 of 2016

Order:

Heard learned counsel for the petitioner and learned Government Pleader for the respondents 1 to 3. In spite of service of notice on the fourth respondent, none appeared for the fourth respondent.

This Writ Petition was filed challenging the registration of Crime No.844 of 2016 against the petitioner for the offences punishable under Sections 420 and 493 IPC and Sections 3(1)(s) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment Act 1 of 2016). The said crime was registered on the basis of complaint lodged by the fourth respondent.

This Court, by order dated 28.12.2016, granted interim stay of all further proceedings including the arrest of the petitioner and later on that order was modified on 13.03.2017 giving liberty to the respondents 2 and 3 to continue the investigation but not to arrest the petitioner.

It appears that by virtue of the order dated 28.12.2016 the investigation was stopped. However, it is stated in the counter affidavit that a *prima facie* case was made out against A1 and A2 and since A1 did not approach this Court he was arrested and was remanded to judicial custody. After completion of investigation against him, charge sheet was also filed before the concerned Court on 14.03.2017.

In view of the subsequent order dated 13.03.2017, the investigating officer can continue the investigation against the petitioner also, but shall not arrest the petitioner.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 18.04.2017
Nsr

