

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6891 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioners/ accused, seeking to quash the proceedings in Crime No.152 of 2017 of Tangutur Police Station, Prakasam District, registered for the offences punishable under Sections 323 r/w 34 I.P.C. and 3(1)(r)(s) and (Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (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.

On perusal of the grounds urged in the Criminal Petition, for this Court, there is nothing to admit the Criminal petition, much less, to interdict the investigation.

Having regard to the above, the Criminal Petition is disposed of, directing the police to proceed with the investigation and in the event of any necessity of arrest of the petitioners, they have to follow Section 41-A Cr.P.C. and the guidelines of the Apex Court as laid down in Arnesh Kumar v. State of Bihar¹, strictly. All the defences of the accused with regard to attracting of the penal provisions also left open.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 08-08-2017

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¹ (2014 (2) ALT (CrI.) 457 SC)