

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5241 OF 2017

ORDER:

This petition is filed under Section 482 Cr.P.C. to quash the proceedings against the petitioners/A1 to A3 in Crime No.90 of 2017 on the file of the Station House Officer, Srikakulam Rural Police Station, Srikakulam District, registered for the offences punishable under Sections 417 and 354 (D) IPC and 3 (1)(r)(s) of SCs & STs (POA) Amendment Act, 2015

2. Heard the learned counsel for the petitioners and the learned Assistant Public Prosecutor for the State of Andhra Pradesh.

3. A perusal of the record reveals that originally a case in Cr.No.74 of 2017 on the file of S.H.O. Etcherla P.S. Srikakulam District, was registered for the offences punishable under Sections 417 and 354 (D) IPC and 3 (1)(r)(s) of SCs & STs (POA) Amendment Act, 2015. Challenging the said FIR, the petitioners filed CrI.P.No.4038 of 2017 and the same was disposed of by this Court on 07-06-2017 with a direction to the S.H.O., Etcherla P.S. to follow the procedure as contemplated under Section 41-A Cr.P.C. Subsequently, the case was transferred to the Station House Officer, Srikakulam Rural Police Station, Srikakulam District, and re-numbered as Cr.No.90 of 2017.

4. Having regard to the facts and circumstances of the case, the Station House Officer, Srikakulam Rural Police Station, Srikakulam District, is hereby directed to follow the procedure as contemplated under Section 41-A Cr.P.C. in Crime No.90 of 2017 so far as the petitioners/A1 to A3 are concerned.

5. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this petition shall stand closed.

T.SUNIL CHOWDARY, J

DATED: 06-07-2017
Hsd

