

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.8990 of 2017

ORDER:

Heard the learned counsel for the petitioners/A.1 to A.6 of Cr.No.232 of 2017 of Thirumalayapalem Police Station, Khammam District registered for the offences punishable u/sec.420 IPC and u/sec.3(1)(x) of the Scheduled Caste and Scheduled Tribe(POA) Act, (for short, the Act) and the learned Public Prosecutor for the 1st respondent before ordering notice to the 2nd respondent, and perused the material on record.

As can be seen from the very report as pointed out by the learned counsel for the petitioner, there is no public view to attract the offence u/sec.3(1)® and (s) of the amended Act, and so far as the offence u/sec.420IPC, concerned, it in relation to the sale transaction of the year 2015 for the amount due and the alleged occurrence of abusing on 11.06.2017 not even in public view and the report was dated 02.08.2017 about 50 days after the occurrence even.

Having regard to the above, for this Court there is nothing to interdict the investigation.

Accordingly and in the result, the Criminal Petition is disposed of directing the police not to arrest the petitioners/A.1 to A.6 but investigation shall go on but it will not prevent the police to secure the presence of the petitioners for the purpose of investigation. Consequently, miscellaneous petitions, if any shall stand closed.

Dr.JUSTICE B.SIVA SANKARA RAO

Date: 19.09.2017

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