

SMT JUSTICE T. RAJANI

CRIMINAL PETITION No.2236 of 2011

ORDER:

This petition is filed seeking for quash of the proceedings against the petitioners, who are A1 and A2, in Crime No.52 of 2011 on the file of the Sircilla Police Station.

2. Heard the counsel for the petitioners and the learned Public Prosecutor appearing for the 1st respondent. None appears for the 2nd respondent.

3. A perusal of the complaint would show that the allegations constituting the alleged offences, which are under the provisions of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 506 of the Indian Penal Code, are very categorical and clear. It is alleged that the petitioners herein have entered the agricultural land of the complainant and made abuses in their caste name and that they had followed him and beat him. Hence, this is not a fit case for quash.

4. The Criminal Petition is, accordingly, dismissed. However, considering the plea of the petitioners' counsel, the police are directed to follow the guidelines enunciated by the Supreme Court in *Arnesh Kumar v. State of Bihar and another* (Crl.Appeal No.1277 of 2014)¹, before effecting the arrest of the petitioners. Interim stay granted by this court in

¹ (2014) 8 SCC 273

Crl.P.M.P.No.2285 of 2011, dated 11.03.2011, shall stand vacated.

As a sequel, the miscellaneous applications, if any pending, shall stand closed.

T. RAJANI, J

December 6, 2017/LMV

