

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.942 of 2018

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/accused, seeking to quash the proceedings in Crime No.4 of 2018 on the file of the Kodimial Police Station, Jagtial District, registered for the offence under Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard the learned counsel for the petitioner/accused, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The allegation is that on 04.01.2018 at 03:00 PM, when the de-facto complainant was standing near a hotel at Kodimial Bus Stand, the petitioner/accused alleged to have abused the de-facto complainant in the name of caste, in public view, in presence of number of persons. There is no mention of any caution in the report lodged with the police on 04.01.2018. It is contended on behalf of the petitioner/accused that the mother of the petitioner/accused is a Sarpanch of Ramakistapur village and that the de-facto complainant was not given a CC Road contract on nomination basis and that aggrieved by the same, this false case is foisted against the petitioner/accused.

4. There are allegations against the petitioner/accused which constitute offence under Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act,

2015. However, in the circumstances of the case, the Station House Officer, Kodimial Police Station, Jagtial District, shall not arrest the petitioner/accused pending investigation. He can proceed with the investigation of the case and file charge-sheet or final report, as the case may be.

5. With the above direction, this Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

Dr. Shameem Akther, J

30th January, 2018
Bvv

