

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1552 of 2018

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. to quash the proceedings in F.I.R.No.27 of 2018 of Mannur Police Station, Kadapa District, filed for the offences punishable under Sections 447, 427 read with Section 34 I.P.C. and Section 3(1)(g) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard the learned counsel for the petitioner-accused and the learned Assistant Public Prosecutor (A.P.) appearing for respondent No.1-State, and perused the record.

3. The learned counsel for the petitioner-accused submits that his client did not damage the plants belonging to respondent No.2 – the *de facto* complainant and he is no way responsible for the offences alleged against him and that considering the nature of the allegations, a direction may be issued to the Police concerned to follow the procedure prescribed under Section 41-A Cr.P.C.

4. Without touching the merits of the case and acceding to the request of the learned counsel for the petitioner-accused, this Criminal Petition is disposed of directing the Police concerned to follow the procedure prescribed under Section 41-A Cr.P.C. and abide by the guidelines issued by the Apex Court in Arnesh Kumar v. State of Bihar¹.

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

DR. SHAMEEM AKTHER,J

12th February, 2018
GHN

¹ (2014)8 SCC 273