

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2766 of 2018

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioner/accused, seeking to quash the proceedings against him in F.I.R.No.36 of 2018 registered for the offences under Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and Sections 420 and 290 I.P.C.

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

3. Learned counsel for the petitioner would submit that the petitioner was taken a hand loan from the respondent/*de facto* complainant and when the same was not paid, in order to harass and coerce the petitioner, this false case is filed against him. The petitioner is a Teacher; he has nothing to do with the allegations made in the F.I.R and ultimately, prayed to allow the application.

4. Learned Assistant Public Prosecutor opposed the grant of relief claimed by the petitioner.

5. As per the report dated 20.02.2018 lodged by the respondent/*de facto* complainant-D.Bikshapathi, this petitioner is working as a Teacher at Venkataraoopally and he has collected an amount of Rs.1,00,000/- each on two occasions, in total an amount of Rs.2,00,000/-, to procure a job to the daughter of the respondent-*de facto* complainant by name D.Vijaya Lakshmi. The petitioner demanded an amount of Rs.3,00,000/- to secure the

said job. Even after completion of three years, the petitioner did not return the said amount. There is also an allegation against the petitioner that he abused the respondent/*de facto* complainant in the name of his caste in the presence of neighbours. As per First Information Report, there is a disclosure of the commission of offences under Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and also Sections 420 and 290 I.P.C. The truth or otherwise of the allegations can be decided in the course of investigation only. Continuation of investigation is not abuse of process of law. The criminal petition is devoid of merits and it is liable to be dismissed.

6. In the result, the Criminal Petition is dismissed. Miscellaneous petitions, if any, pending in this Criminal Petition shall stand closed.

Date: 07.03.2018
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Dr. SHAMEEM AKTHER, J

