

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2974 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused to quash the proceedings in Crime No.20 of 2018 on the file of Kothapatnam Police Station, Prakasam District, registered for the offences under Sections 420, 323 of I.P.C. and 3(1)(r), 3(1)(s) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

3. The learned counsel for the petitioner/accused would submit that no alleged incident took place as mentioned in the First Information Report, dated 01.03.2018. The witnesses cited in the report belong to different place. It is alleged that the offence took place within the four corners of the house. There is enmity between the parties to the litigation and ultimately prayed to allow the application.

4. The Learned Assistant Public Prosecutor opposed the relief sought by the petitioner/accused.

5. As seen from the record, the witnesses cited in the First Information Report, dated 01.03.2018, do not belong to that area. Further, it is alleged that the petitioner/accused said to have taken

Rs.20,000/- to get Pattadar Passbooks and title deeds in favour of the de-facto complainant long back. It is also borne out by the record that the petitioner/accused retired as a Village Revenue Officer in the year 2010. The truth or otherwise of the allegations made in the First Information Report, dated 01.03.2018, requires investigation. In view of the nature of allegations made in the First Information Report, dated 01.03.2018, it is appropriate to protect the interest of the petitioner/accused.

6. Under these circumstances, the investigating officer shall complete the investigation and file Final Report before the Court concerned, without arresting the petitioner/accused.

7. With the above direction, the Criminal Petition is disposed of.

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

12th March, 2018
Bvv

Dr. SHAMEEM AKTHER, J