

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.3301 of 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 to A.8, to quash the proceedings in Crime No.37 of 2018 on the file of U.Kothapalli Police Station, East Godavari District, registered for the offences under Sections 448, 153A, 506 read with 34 of I.P.C. and Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard the learned counsel for the petitioners/A.1 to A.8, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. The learned counsel for the petitioners/A.1 to A.8 would submit that the allegations made in the report, dated 28.02.2018, are absolutely false. The respondent No.2/de-facto complainant and others did not seek permission to convert the house into church. For that, a notice was issued by the competent authority. False case is registered against the petitioners/A.1 to A.8 alleging that the petitioners/A.1 to A.8 have abused the de-facto complainant in the name of caste. It is also contended that when the de-facto complainant and others were conducting prayers as alleged, it cannot be said that they are members of Scheduled Caste.

4. There are strained relations between the parties to the *lis*. The submissions made on behalf of the petitioners/A.1 to A.8

require investigation. The truth or otherwise of the allegations can only be determined after due investigation. It is not a fit case to quash the proceedings against the petitioners/A.1 to A.8. In view of the nature of allegations levelled against the petitioners/A.1 to A.8, they require protection from arrest.

5. Under these circumstances, the investigation officer is directed to complete the investigation and file the Final Report before the Court concerned, without arresting the petitioners/A.1 to A.8.

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

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

Dr. SHAMEEM AKTHER, J

16th March, 2018
Bvv

