

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.2604 OF 2014

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings against the petitioner-accused in P.R.C. No.108 of 2013 on the file of the Chief Metropolitan Magistrate, Vijayawada registered for the offences punishable under Section 3 (1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Heard the learned counsel for the petitioner-accused and the learned Assistant Public Prosecutor appearing for the State and perused the material on record.

In the course of arguments, it has come to light that the aforesaid P.R.C. is at the stage of committal. Before the case is committed, the learned Magistrate has to examine whether the allegations alleged would constitute *prima facie* case for the offences alleged and whether the case can be committed to the Court of Session. Even after committal of the case also, the learned Sessions Judge has to hear the accused before the charges are framed. The petitioner-accused can agitate his grievance before the Courts concerned. Even if he is aggrieved with the committal of the case to the Court of Session, he can work out remedies available to him under law.

With the above observations, the Criminal Petition is disposed of.

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

DR.SHAMEEM AKTHER, J

06.02.2018
DRK

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