

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.3480 of 2018

ORDER:

This Criminal Petition is filed by the petitioner/accused seeking to quash the proceedings against him in Crime No.20 of 2018 of Hiramandalam Police Station, registered for the offences under Sections 195, 506 and 509 and under Section 3 (i) (r) (s) of the Scheduled Caste and Scheduled Tribe (POA) Act.

The brief facts of the complaint allegations are that the defacto complainant is a Medical Officer in CHC, Hiramandalam in Srikakulam District, working on contract basis since February, 2017 and she belongs to Schedule Tribe community. The petitioner is working as Community Health Officer and he used to harass her and abuse her in vulgar words in the name of her caste and was threatening her by using his power as Union Leader.

Investigation is reported to be pending.

The submission of learned counsel for petitioner is that all the complaint allegations are false and earlier she filed similar type of complaint in F.I.R.No.7 of 2018. The petitioner filed CrI.P.No.1569 of 2018 (*IPPILI NARAYANA RAO v. THE STATE OF ANDHRA PRADESH*) dated 12<sup>th</sup> February, 2018) to quash the proceedings in F.I.R.No.7 of 2018 whereunder this court ordered the police to follow the procedure contemplated under Section 41-A Cr.P.C.

Learned counsel for the petitioner would submit that the present complaint is off shoot of the earlier complaint and therefore,

a similar order may be passed as the petitioner is a Government employee and his arrest may jeopardize his employment.

Perused the complaint. It is informed that investigation is in the initial stage and hence this court is not inclined to quash the proceedings at this stage and therefore, the investigation shall continue to its logical end. Meanwhile, the Investigating Officer shall strictly follow the procedure contemplated under Section 41-A Cr.P.C. towards the petitioner and the petitioner is also directed to cooperate with the Investigating Agency for smooth completion of investigation.

This Petition is disposed of accordingly.

As a sequel, miscellaneous applications pending if any, shall stand closed.



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JUSTICE U.DURGA PRASAD RAO

Dated 22<sup>nd</sup> March, 2018.

Issue CC tomorrow.

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Dvs

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Note :

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