

THE HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No. 3642 OF 2018

ORDER:

This petition is filed under Section 482 of the Code of Criminal Procedure by the petitioner/accused seeking to quash the proceedings against him in Crime No.29 of 2018 of Tappa Chabutra Police Station, Hyderabad, registered for the offence under Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

The brief facts of the complaint are that the complainant owns 560 square yards of site and in order to construct flats, he entered into an agreement with the petitioner/accused and accordingly construction was proceeding. While so, on 13.02.2018 at about 6.30 a.m., when the *de facto* complainant along with his friend Karthik went to the house of the petitioner/accused to discuss with him about the construction of the gate, on seeing the *de facto* complainant, the petitioner/accused allegedly abused him in the name of his caste for his coming early in the morning.

The investigation is reported to be pending.

Having regard to the *prima facie* accusation contained in the complaint, it is not a fit case to quash the proceedings. Therefore, the investigation shall proceed to its logical conclusion. However, the investigating officer shall strictly follow the procedure contemplated under Section 41-A of CrPC., towards the petitioner/accused during the course of investigation and the petitioner/accused shall also cooperate with the investigating agency for smooth completion of the investigation.

The criminal petition is accordingly disposed of. Consequently, miscellaneous petitions, if any pending, shall stand closed.

U.DURGA PRASAD RAO, J

28.03.2018
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