

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.8030 OF 2017

ORDER:

This petition is filed by the petitioners-A3 and A4 under Section 482 Cr.P.C. to quash the proceedings in Spl. S.C.No.51 of 2017, pending on the file of the Special Sessions Judge for trial of offences under SCs & STs (PoA) Act-cum-IV Addl. District Judge, Kadapa, YSR Kadapa District, wherein cognizance was taken for the offences punishable under Sections 323 and 354 r/w 34 IPC and 3 (1) (r) (s) of the SC & ST (PoA) Amendment Act, 2015.

2. Heard learned counsel for the petitioners, learned Assistant Public Prosecutor representing the State and perused the record.

3. Learned counsel for the petitioners would submit that the allegations made against the petitioners do not constitute offences referred supra.

4. In the course of submissions, it has come to light that no charges are framed by the Court of Session. In such event, the petitioners have right to make submissions and seek discharge by filing an application under Section 227 Cr.P.C.. When an efficacious remedy is available to the petitioners, it is not appropriate to express any opinion on the merits and demerits of the case. The petitioners are given liberty to file an application before the Court of Session as indicated above, if they choose to do so.

5. With the above observation, the Criminal Petition is disposed of. Miscellaneous petitions, if any pending in this Criminal Petition shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 13-03-2018.

Hsd