

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.6544 OF 2018

ORDER:

This criminal petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') to quash the proceedings in Crime No.78 of 2018 of Lallaguda Police Station registered against the petitioners for the offence punishable under Sections 376 read with 511, 498-A, 506 of Indian Penal Code, 1860 and Sections 3(1)(r) & (s), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, on various grounds.

One of the offences allegedly committed by the petitioners is under the provisions of SC/ST (POA) Act. The petitioner No.7 is a Government employee.

The contention of the counsel for the petitioners is that there were no allegations to constitute any of the offence punishable under Sections referred above and requested this Court to issue a direction to the police to follow the guidelines laid down by the Apex Court in **Dr.Subash Kashinath Mahajan v State of Maharastra and another** (Crl.A.No.416 of 2018, dated 20.03.2018).

Though the review petition is pending in respect of the guidelines laid down by the Apex Court in **Dr.Subash Kashinath Mahajan** case referred supra, they are binding on the authorities.

Hence, the Station House Officer, Lallaguda Police Station, Hyderabad, is directed to follow the guidelines laid down by the

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Apex Court in **Dr.Subash Kashinath Mahajan** case referred supra,
before affecting the arrest of the petitioners.

With the above direction, the criminal petition is disposed of.

Pending miscellaneous petitions in the petition, if any, shall
stand closed.

M.SATYANARAYANA MURTHY,J

25.06.2018
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