

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.8143 of 2018

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.97 of 2018 of Madira Town Police Station, Madira, Khammam District, registered for the offences punishable under Sections 341, 294(b), 506 IPC and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 (for short 'the Act'), on various grounds.

As seen from the allegations made in the complaint the petitioners abused the *de facto* complainant touching the caste name of the *de facto* complainant and tried to kill him.. Hence, these allegations would attract the above section of law.

However, learned counsel for the petitioners requested the Court to grant not to arrest, which cannot be granted as it amounts to pre-arrest bail, which is prohibited under Section 18 of the Act. The crime was registered without following the guidelines issued by the Apex Court in **Dr. Subhash Kashinath Mahajan v State of Maharashtra and another**¹.

In view of the guidelines issued by the Apex Court in **Dr Subhash Kashinath Mahajan's** case referred supra, the Investigating Officer is directed to follow the said guidelines.

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

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTHY, J

02.08.2018
kvrn

¹ 2018 Law Suit (SC) 233