

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.8291 of 2018

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.226 of 2018 of Yarraguntla Police station, Kadapa District, registered for the offence punishable under Section 354 (A) IPC and under Section 3(1)(w)(i) of SCs & STs (POA) Amendment Act, 2015 (for short 'the Act'), against the petitioner/accused, on various grounds.

2. Learned counsel for petitioner submits that the petitioner is working as Municipal Commissioner, Palamaner Municipality, Chittoor District and that 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. He requested this Court that a direction may be given not to arrest the petitioner.

3. The order granting not to arrest the petitioner amounts to pre-arrest bail, which is prohibited under Section 18 of the Act. However, 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.

4. 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

7th August, 2018

sj

¹ 2018 Law Suit (SC) 233

