

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.865 OF 2014

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners-accused to quash the proceedings in crime No.25 of 2014 of Subedari police station, Warangal Urban district registered for the offence punishable under Section 3 (1) (x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

3. Learned counsel for the petitioners would submit that there are land disputes between the parties to the litigation, and in order to coerce the petitioners, a false report dated 10.01.2014 was lodged by the defacto complainant; that the allegations levelled against the petitioners do not constitute *prima facie* case for the offence alleged and ultimately prays to quash the impugned proceedings.

4. On the other hand, the learned Assistant Public Prosecutor opposed granting of the relief prayed in the Criminal Petition.

5. The allegation is that on 04.01.2014 at about 6.00 hours, while the defacto complainant was passing in front of house of accused, petitioner-A.2 sprinkled water on her and when she questioned the same, the petitioners-accused abused her in the name of her caste. Contention of the learned counsel for the petitioners is that no such incident had taken place and in view of the civil disputes pending between the parties, a false case is foisted. Truth or

otherwise of the allegations are required to be investigated by the investigating officer. Therefore, there are no grounds to quash the impugned proceedings. In view of the circumstances, the investigating officer is directed to investigate into the case and file final report without arresting the petitioners.

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

DR. SHAMEEM AKTHER, J

28.02.2018
DRK



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