

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.10761 of 2018

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.740 of 2017 of Panjagutta Police Station, registered for the offence punishable under Section 3(1)(r)(s)(u) 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 insulted the *de facto* complainant by leaving office just before arrival of the Member, NCSC along with SC & ST Vigilance & Monitoring Committee, Telangana State. 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.

10.10.2018
kvrn

M. SATYANARAYANA MURTHY, J

¹ 2018 Law Suit (SC) 233