

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.107 of 2019

ORDER :

Impugning the First Information Report in Crime No.294 of 2018 registered by the Manuguru Police Station, Bhadradi Kothagudem District, for the offence punishable under Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on the report of the 1st respondent-*de facto* complainant, the petitioner/sole accused filed the quash petition.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, representing the 2nd respondent-State in opposing the same, before ordering notice to the 1st respondent and before admission. Perused the First Information Report and quash petition averments.

3. A perusal of the First Information Report and quash petition averments no way entitles this Court to quash the proceedings or admit by keeping the matter pending, but for to say for none of the offences are punishable above seven years, the police strictly follow Section 41-A Cr.P.C., and also the guidelines as held by the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹.

4. Accordingly and in the result, the criminal petition is disposed of without prejudice to any future defence of the petitioner.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

22nd January 2019
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¹ (2014) 8 SCC 273