

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.913 OF 2019

ORDER:

Impugning the First Information Report in Crime No.4 of 2019 registered by the Birkoor Police Station, Kamareddy District, for the offences punishable under Section 504 of the Indian Penal Code and Section 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, on the report of the 5th respondent-*de facto* complainant, the petitioner/accused filed the writ petition.

2. Heard learned counsel for the petitioner and learned Public Prosecutor, representing the 1st respondent-State in opposing the same, before ordering notices to respondents 3 to 5 and before admission. Perused the First Information Report and writ petition averments.

3. A perusal of the First Information Report and writ 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 of the Code of Criminal Procedure, 1973, 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 Writ Petition is disposed of without prejudice to any future defence of the petitioner.

Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

Date: 25th January, 2019
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¹ (2014) 8 SCC 273

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