

HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1153 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioners/accused Nos.1 to 4 seeking to quash the proceedings in Crime No.16 of 2019 of Jannaram Police Station, Mancherial District, registered for the offences punishable under Sections 323, 294(b) and 506 read with 34 I.P.C and Section 3 (1)(s), 3 (2) (v) (a) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'the Act').

2. Heard the learned counsel for the petitioners/accused Nos.1 to 4 and the learned Additional Public Prosecutor representing the 1st respondent/State. Perused the record.

3. Learned counsel for the petitioners/accused Nos.1 to 4 would submit that the petitioner/accused Nos.1 to 4 are innocent persons and falsely implicated in this case; that there are no grounds to register the case against them and ultimately, prayed to allow the application.

4. The learned Additional Public Prosecutor opposed the same and conceded that all the offences are punishable with imprisonment below seven years.

5. As per the First Information Report and the investigation conducted so far, there are specific allegations against these petitioners/accused Nos.1 to 4 with regard to abuses, creating

nuisance, beating etc constituting the offences under Sections 323, 294(b) and 506 read with 34 I.P.C. and Section 3 (1)(s), 3 (2) (v) (a) of the Act. Therefore, it is not fit case to quash the proceedings against the petitioners/accused Nos.1 to 4 in the aforesaid crime.

6. Having regard to the nature of allegations alleged against the petitioners/accused Nos.1 to 4 and the offences are punishable with imprisonment below seven years, the Station House Officer/Investigating Officer shall not arrest the petitioners/accused Nos.1 to 4 in the subject crime, however, complete the investigation and file charge sheet or final report, as the case may be.

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

Dr. SHAMEEM AKTHER, J

APRIL 01, 2019

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THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER



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