

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.13977 of 2018

ORDER:

Impugning the First Information Report in Crime No.211 of 2018 registered by the NTPC Police Station, Peddpalli District, for the offences punishable under Sections 323, 355 r/w 34 IPC and Sections 3(1)(s) & 3(2)(va) of SC & ST (POA) amended Act, the petitioners/accused Nos.1 & 2 filed the quash petition.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, representing the 1st respondent-State in opposing the same, before ordering notice to the 2nd 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 petitioners.

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

04th January 2019.

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¹ (2014) 8 SCC 273