

HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

MAIN CASE NO.: CrI.P.No.3981 of 2021

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
01	19.07.2021	<u>LK,J</u> <u>CrI.P.No.3981 of 2021</u> Admit. Notice. Learned Public Prosecutor takes notice on behalf of 1st respondent. Learned counsel for the petitioners is permitted to take out personal notice to the 2nd respondent by RPAD and file proof of service. Post after four weeks. LK, J <u>I.A.No.1 of 2021</u> Heard. Learned counsel for the petitioners submits that the petitioners are alleged to have committed the offences under Section 3 (1)(r)(s) of theThe Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short “SC ST Act”) and Section 506 and 509 of IPC. He submits that it is stated in the complaint that the petitioners abused <i>defacto</i> complainant in the name of caste, whereas neither in the complaint nor in the charge sheet, except making vague allegations. He submits that in view of law laid down by the Hon’ble Apex Court, there should be specific overt acts with regard to abuse and also within the public eye. In the present case, all these aspects are missing. It is nowhere mentioned in the charge sheet that what are the words used by the petitioners while abusing the complainant in	

		the name of caste and whether the same is within it is in the public eye or not. <i>Prima facie</i> it appears that the allegations in respect of the offences alleged are not attracted. Hence, there shall be stay of all further proceedings in Spl.S.C.No.8 of 2021 on the file of Special Sessions Court for trial of cases under SCs STs (POA) Act-cum-IV Additional District Judge, Kadapa. LK, J PVD	
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