

**HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

**MAIN CASE No.: CrI.P. No.4693 of 2021**

**PROCEEDING SHEET**

| Sl.<br>No | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Office<br>Note |
|-----------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| 1.        | 23-08-2021 | <p><b><u>CMR, J</u></b></p> <p>Learned Additional Public Prosecutor has taken notice for the 1<sup>st</sup> respondent/State and requests time to seek instructions.</p> <p>Issue notice to respondent No.2.</p> <p>Post the matter after four (4) weeks.</p> <p style="text-align: right;"><u>CMR, J</u></p> <p style="text-align: center;"><b><u>I.A.No.1 of 2021</u></b></p> <p>The petitioners are accused in Crime No.192 of 2021 of II Town Police Station, Kakinada, East Godavari District. The said F.I.R was registered against the petitioners for the offences punishable under Sections 3(1)(r) and 3(1)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short 'SC and ST Act'). The petitioners sought quash of the F.I.R primarily on the ground that no offence is absolutely made out whatsoever from the contents of the F.I.R under Sections 3(1)(r) and 3(1)(s) of the SC and ST Act.</p> <p>As rightly contended by the learned counsel for the petitioners, a reading of the allegations set out in the F.I.R does not <i>prima facie</i> make out any offence punishable under Sections 3(1)(r) and 3(1)(s) of the SC</p> |                |

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|  |  | <p>and ST Act. Therefore, the petitioners could make out a strong <i>prima facie</i> case warranting interference of this Court to examine in the main Criminal Petition whether the launching of criminal prosecution against the petitioners for the aforesaid offences amounts to abuse of process of Court or not and whether the F.I.R is liable to be quashed or not.</p> <p>Therefore, in the said facts and circumstances of the case, there shall be interim stay of further proceedings pursuant to registration of F.I.R in Crime No.192 of 2021 of II Town Police Station, Kakinada, East Godavari District, including arrest of the petitioners, till the next date of hearing.</p> <div>CMR, J</div> <p><b>Note:</b> Issue CC by 24.08.2021.<br/>B/o<br/>AKN</p> |  |
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