

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE THIRD DAY OF SEPTEMBER, TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

I.A. No. 2 of 2021

IN

CRL.P.No. 4951 of 2021



Between :-

Gadipudi Dasaradha Ramaiah, S/o. Ramaswamy

..Petitioner/Accused

(Petitioners in Crl.P.No. 4951 of 2021

On the file of High Court)

AND

1.Epuri Rambabu, S/o. Chandraiah, R/o. Yadavalli Village, Chilakaluripet
Mandal, Guntur District.

....Respondent/Defacto Complainant.

2.The State of A.P., through S.H.o., Chilakaluripet Rural Police Station,
Rep. by its Public Prosecutor, High Court of A.P., at Amaravati.

..Respondents

(Respondents in -do).

Petition under Section 482 of Cr.P.C. praying that in the circumstances stated in the memorandum of grounds filed herein, the High Court may be pleased to stay of all further proceedings, including arrest of the Petitioner/Accused, in respect of FIR No. 195/2021, dt. 27-08-2021 of Chilakaluripet Rural Police Station, Guntur District, pending disposal of Crl.P.No. 4951/2021 on the file of the High Court.

The petition coming on for hearing, upon perusing the petition and memo of grounds filed herein and upon hearing the arguments of Sri R. Chandra Reddy, Advocate for the Petitioners and of the Public Prosecutor for respondent No.2/State, the Court made the following

ORDER:-

“The petitioner is accused in Crime No. 195 of 2021 of Chilakaluripeta Rural Police Station, Guntur District. On a report lodged by the *de facto* complainant alleging that the petitioner has posted a comment in the Facebook displaying the photograph of the *de facto* complainant shows money being hurled on him and questioned whether it is money or dollars, the present crime is registered. It is stated that as the *de facto* complaint belongs to SC Community that the aforesaid comment was made in the Facebook.

As can be seen from the contents of the said F.I.R, there is nothing to indicate that the petitioner has abused or insulted him in the name of his caste. The alleged comment said to have been posted in the Facebook does not disclose anything regarding commission of an offence under the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 (for short ‘SC and ST’ Act). Therefore, the petitioner could make out a strong *prima facie* case warranting interference of this Court to examine in the main Criminal Petition whether any case under Section 3(1)(r) of the SC and ST Act and under Section 67 of the Information Technology Act is made out against the petitioner from the facts of the case or not and whether the said legal proceedings initiated against him are sustainable under law or not and whether the F.I.R. is liable to be quashed out.

Contd..2...

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. 195 of 2021 of Chilakaluripeta Rural Police Station, Guntur District, including arrest, against the petitioner, till the next date of hearing."

// TRUE COPY //

Sd/-M.Suryanadha Reddy
ASSISTANT REGISTRAR

SECTION OFFICER

SECTION OFFICER

To

- 1.The Station House Officer, Chilakaluripeta Rural Police Station,
Guntur District.
2. Epuri Rambabu, S/o. Chandraiah, R/o. Yadavalli Village, Chilakaluripet
Mandal, Guntur District..(By RPAD)
- 3.Two CCs to the Public Prosecutor, High Court of A.P., at Amaravati(OUT)
- 4.One CC to Sri R. Chandra Reddy, Advocate [OPUC]
- 5.One spare copy.

TKK

HIGH COURT

CMR.J

DATE: 03-09-2021

ORDER

I.A.No. 2 of 2021
IN
CRL.P. No. 4951 of 2021

INTERIM STAY

