

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: CrI.P. No.4951 of 2021

PROCEEDING SHEET

Sl. No	DATE	ORDER	Office Note
1.	03.09.2021	<u>CMR, J</u> <u>I.A.No.1 of 2021</u> Dispensed with for the present. <u>CMR, J</u> <u>CrI.P. No.4951 of 2021</u> Learned Additional Public Prosecutor takes notice for the 2nd respondent/State and requests time to obtain instructions. Issue notice to the 1st respondent returnable in four (4) weeks. <u>CMR, J</u> <u>I.A.No.2 of 2021</u> The petitioner is accused in Crime No.195 of 2021 of Chilakaluripeta Rural Police Station, Guntur District. On a report lodged by the <i>de facto</i> complainant alleging that the petitioner has posted a comment in the Facebook displaying the photograph of the <i>de facto</i> complainant shows money being hurled on him and questioning whether it is money or dollars, the present crime is registered. It is stated that as the <i>de facto</i> complainant 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 <i>prima facie</i> 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 or not. 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. CMR, J AKN	
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