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**GOVERNMENT OF ANDHRA PRADESH  
POLICE DEPARTMENT**

From  
Smt Shikha Goel, IPS,  
Dy. Inspector General of Police,  
Kurnool Range, Kurnool,  
FAC of Superintendent of Police,  
Kurnool.

To ✓  
The Research Officer,  
National Commission for Scheduled Tribes,  
Lok Nayak Bhavan,  
Khan Market, New Delhi.

C.No.G2/2253/SC/ST/2008, dt: 25-07-2009

15/11/Snd. 12.009  
9/8/09  
15/11  
RC-IV

**Sub:** POLICE - Kurnool District - Petition of one Yerukali Sreenivasulu S/o Pedda Subbarayudu resident of Yalluru village of Gospadu Mandal of Kurnool District - Enquiry report submitted - Regarding.

**Ref:** File No.YS/Atrocity/AP/742/2008/RU/IV, dtd. 10-09-2008 of the Research Officer, National Commission for Scheduled Tribes, New Delhi.

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With reference to the letter cited above, it is to submit that one Yerukali Sreenivasulu S/o Pedda Subbarayudu resident of Yalluru village of Gospadu Mandal of Kurnool District, filed a petition before the Research Officer, National Commission for Scheduled Tribes, New Delhi and in turn it was referred to the Superintendent of Police, Kurnool for enquiry and report. The petitioner in the petition, stated that there is one entry route dispute between him and his villager Palle Chenchaiyah @ Chenchanna since long time. Further he stated that on 16-08-08 at about 7 A.M, the said Chenchaiyah @ Chenchanna without observing decency, exposed his private parts and was passing urine in front of his wife and mother in the public place. On observing the same when he asked him to go away, he abused him in filthy language him by taking his caste name intentionally and also bet on his head with bana stick and caused injuries to him. The petitioner also stated that the wife of Chenchaiyah @ Chenchanna also abused him by taking his caste name. He finally alleged that after his discharge from the hospital, he went to Gospadu PS and requested a copy of FIR. But he was not supplied the FIR copy.

The contents of the petition have been enquired into by the DSP Allagadda and following is the enquiry report.

It is to submit that on receipt of the MLC intimation along with statement of the petitioner Yerukala Sreenivasulu, the SHO, Gospadu PS registered a case against the accused vide Cr.No.92/2008 u/s 324 r/w 34 IPC and Sec. 3(i)(x) of SC/ST (POA) Act 1989 on 19-08-2008 and the same was investigated into by the DSP Allagadda.

The discrete enquiry revealed that the defacto complainant (petitioner LW-1) and LWs-2 to 4 are the one and own family members and belong S.T community caste by Yerukala. Whereas, the alleged accused Palle Chenchanna (A-1) and Palle Laxmi Devi (A-2) are husband and wife, belong to non-S.T community caste by Golla. In fact there is dispute with regard to rastha in between the alleged accused and family members of the complainant (petitioner). The alleged accused Palle Chenchanna (A-1) and his brother Palle Rama Krishnudu purchased house site from one Aleti Siva Ramaiah under registered sale deed. In the said registered sale deed, it is clearly mentioned about the existence of the disputed rastha and that they are having right over the said rastha. In fact the complainant is having no property at the disputed rastha and he is alone residing there and also not having any right to object the alleged accused. But without having any manner of right, the complainant (petitioner) is threatening the alleged accused for using the disputed rastha. While the things thus stood, since there is no other way to them, the alleged accused and his brother Rama Krishna approached the court of Law and filed a suit in O.S.No.154/07 in the court of Junior Civil Judge, Allagadda in which the Hon'ble Judge decreed in favour of alleged accused that permanent injunction was granted in favour of the alleged accused restraining the complainant group from interfering with the peaceful possession and enjoyment of the scheduled rastha. Since then the complainant (petitioner) bore grudge against the alleged accused and waiting for an opportunity to trouble them.

On the other hand, the alleged accused A-1 and A-2 blessed with three sons but all the three by birth are suffering from mind-illness. They did

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not know what they are doing. It is true that in the morning hours of 16.8.2008, one of the sons of the alleged accused was passing in the lane without observing decency exposed his private part as he is mind sluggishness. By seeing this, the complainant (petitioner) picked up quarrel with the alleged accused keeping the land disputed lane in mind and colouring the same in to atrocity case with intent to skip the alleged accused from the disputed lane.

Moreover, in the instant case the alleged offence said to be occurred before one and of the family members in the matter and there is no allegation to the effect that such utterance was made "with in public view". Once this basic ingredient is lacking, the offence could not have to been committed by the accused. Further, except the complainant (petitioner) no other witness was there in support of the prosecution version. On the other hand, the other witnesses except LW-1 (petitioner) did not speak about the abuse and causing of hurt by the accused and they only speak about the altercation in connection with rasha dispute. Hence the case was treated as false vide proceedings C.No.3505/2009, dated 29.1.2009 of the Superintendent of Police, Kurnool. There is no further action required in this regard.

Submitted for favour of information.

Yours faithfully,

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*[Signature]*  
25/7/08  
For Deputy Inspector General of Police,  
Kurnool Range, Kurnool,  
FAC of Superintendent of Police,  
Kurnool.

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24/09  
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