

THE HONOURABLE SRI JUSTICE RAJA ELANGO

CRIMINAL PETITION No.4901 of 2015

ORDER:

The petitioner, who is an accused in Crime No.86 of 2015 of P.S.Thirumalayapalem, Khammam District, registered for the offences punishable under Sections 324 IPC and 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'SC & ST (PoA) Act, filed this petition under Section 438 of Cr.P.C., seeking anticipatory bail.

Heard and perused the material available on record.

The case of the prosecution is that when the cattle of the petitioner were grazing the paddy crop cultivated in the land taken on lease by the de facto complainant, the de facto complainant disbursed the cattle, and on knowing the same, the petitioner came there and abused the de facto complainant in the name of his caste and also beat him with a stick.

There is a bar for grant of anticipatory bail in cases for the offence under Section 3 (1)(x) of the SC & ST (PoA) Act. Hence, this Court is not inclined to grant anticipatory bail to the petitioner. However, the petitioner is directed to surrender before the Magistrate concerned, and file an application for bail before the trial Court. On filing of such application, the trial Court is directed to consider it on the same day and pass appropriate orders.

With the above observations, the Criminal Petition is disposed of.

RAJA ELANGO, J

June 12, 2015.

KTL