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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1324 OF 2016

Sani @ Sanat Ragnhunath Kirdak	..Applicant.
V/s.	
State of Maharashtra	..Respondent.

Mr.Jaydeep D. Mane for the applicant.

Mr.Deepak Thakre, APP for respondent-State.

CORAM : A.M.BADAR, J.

DATED : 10TH AUGUST, 2016

P.C. :-

1. Heard the learned counsel for the applicant / accused. He argued that the text message which was forwarded with the group on *Whatsapp* was not created by the present applicant and, therefore, he has not committed any offence.

2. The learned APP opposed the application by submitting that the Investigating Officer has seized the screen shot of the *Whatsapp* message sent by the present applicant and in view of the bar under section 18 of the Scheduled

Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the present application is not maintainable.

3. Perused the F.I.R. as well as the papers of investigation. It is seen from the papers of investigation that the present applicant has forwarded the text message on *Whatsapp* group. Bare perusal of that forwarded message goes to show that there is prima facie evidence against the applicant for the offences punishable under section 3(1)(r)(u) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. In this view of the matter, bar of section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 prohibits this Court from entertaining this application. The application is, therefore, rejected.

(A.M.BADAR, J.)