

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

CRIMINAL PETITION No.13015 of 2016

ORDER:

The petitioners, who are A.1 and A.2 in crime No.75 of 2016 of Ponduru Police Station, Srikakulam District, preferred the present application under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with the above crime registered for the offence punishable under Sections 3 (1) ® (s) (za) (A) of SCs & STs (POA) Act, 2015 (Amendment Act) [for short 'the Act'].

The case of the prosecution is that on 15.08.2016 the informant lodged a written report stating that on the same day morning at about 9.30 a.m. A.1 and A.2 brought a group of persons and tried to close the well belonging to Gram Panchayat on the pretext that said well belongs to A.1. When the informant and others questioned the same, petitioners abused them by taking touching their caste. It is also alleged that petitioners also threatened the informant and others to kill them with bombs. Basing on these allegations, present case came to be registered.

Heard the learned counsel for the petitioners as well as the learned Public Prosecutor.

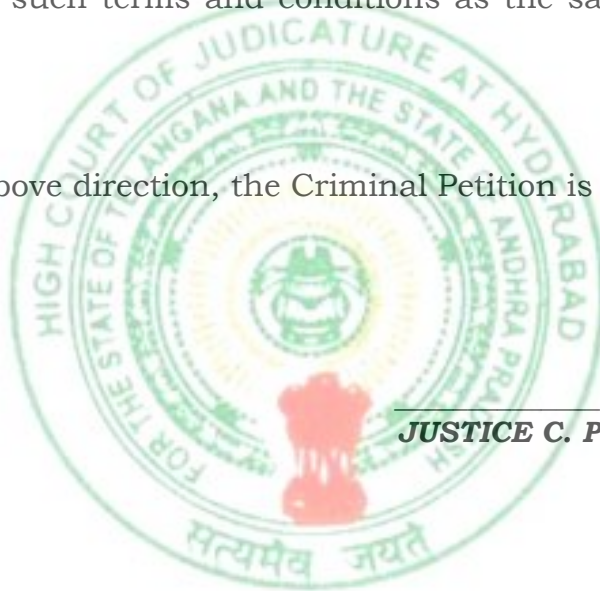
A perusal of the material on record goes to show that on 15.08.2016 petitioners tried to close the well belonging to Gram Panchayat alleging that said well belongs to A.1. When the informant and others interfered, petitioners are alleged to have

abused and threatened them. Thereafter, the present report came to be lodged.

Having regard to the facts and circumstances stated above and in view of the bar contained in the Act for grant of anticipatory bail, I am not inclined to consider the request of the petitioners. However, the petitioners are directed to surrender before the concerned Court and move an application seeking regular bail after giving prior notice to the concerned Public Prosecutor, in which event the same shall be considered in accordance with law on the same day on such terms and conditions as the said Court deems fit.

With above direction, the Criminal Petition is disposed of.

08.09.2016
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JUSTICE C. PRAVEEN KUMAR