

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.463 OF 2017

ORDER:

This criminal petition is filed under Section 438 of Cr.P.C to enlarge the petitioner on anticipatory bail in the event of his arrest in Crime No.22 of 2017 on the file of Kurnool Taluq Police Station, Kurnool District, for the offences punishable under Sections 447, 506 r/w 34 I.P.C, and Section 3(1)(r)(s) of SC/ST POA Act, 2015.

During hearing, learned Public Prosecutor for the State of Andhra Pradesh contended that anticipatory bail cannot be granted for the offence punishable under Section 3(1)(r)(s) of SC/ST POA Act, in view of the specific bar contained in the Act.

At this stage, learned counsel for the petitioner requested to issue a direction to the Sessions Court to decide the matter, directing the petitioner to surrender before the Court and on such surrender, the Court may be directed to decide the application on the same day.

Acceding to the request of the learned counsel for the petitioner and considering the material available on record, I deem it appropriate decide the criminal petition without touching the merits of the matter. Accordingly, the petitioner is directed to surrender before the Sessions Court and on such surrender, the Sessions Court is be directed to decide the application for bail if any filed on the same day, subject to giving notice to the learned

Public Prosecutor and on hearing the argument of learned Public Prosecutor.

With the above observation, criminal petition is disposed of.

Consequently, miscellaneous petitions, if any, pending in this criminal petition, shall stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:30.01.2017

SP

