

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.3358 OF 2017

ORDER:

The present Criminal Petition is filed under Section 438 of the Code of Criminal Procedure, 1973, requesting to grant anticipatory bail.

2. The petitioners are arraigned as accused Nos.1 to 6 in Crime No.246 of 2015 of Sirivella Police Station, Kurnool District, which is, of course, upon filing charge sheet, assigned as P.R.C. No.36 of 2016, on the file of the Special Judge for trial of offences under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

3. Heard Sri P. Nagendra Reddy, learned counsel for the petitioners, and learned Assistant Public Prosecutor for the State of Andhra Pradesh.

4. Though, the learned counsel tendered arguments, but, however, would confine the request to the extent that the petitioners be directed to surrender before the Special Court and file an application seeking for grant of regular bail, and in which event, the learned Special Judge may be directed to dispose of the bail application on the same day. In support of the said submission, the learned counsel also placed a copy of order passed by a learned Single Judge of this court in CrI.P. No.2663 of 2015 in an alike situation.

5. Perused the said order, wherein the learned Single Judge while rejecting the request for granting anticipatory bail in a quash petition,

however, recorded that the petitioner shall surrender before the Special Judge and file an application for grant of bail, in which event, the learned Special Judge shall consider and dispose of the application on its own merits on the same day or on the next day in accordance with law. The learned counsel also pointed out that earlier this Court (myself) in Crl.P. No.2338 of 2017, refused to quash the Non-bailable Warrants issued against the present petitioners in the aforesaid PRC.

6. The learned Assistant Public Prosecutor would not oppose the request made by the learned counsel.

Therefore, acceding to the last the request made by the learned counsel, the petitioners herein are directed to surrender before the Special Judge and make an application for grant of regular bail, and in case they file such an application, the learned Special Judge shall consider and dispose of the same on its own merits either on the same day or on the next day in accordance with law.

Accordingly, the present Criminal Petition is dismissed.

A. SHANKAR NARAYANA, J

JULY 12, 2017
Mgr