

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.1394 of 2017

ORDER:

The petitioner/Accused filed the present application under Section 438 Cr.P.C. to release him in the event of his arrest in connection with Crime No.69 of 2017 of Rajahmundry III Town Police Station, Rajamahendravaram, registered for the offences punishable under Sections 324, 342, 355 and 374 IPC read with 75 of the Juvenile Justice Act and Section 3 (1) (s), 3(ii)(vi) of the SCs. & STs. (POA) Amendment Act.

2. Learned counsel for the petitioner fairly conceded that there is a bar under Section 18 of the Scheduled Castes and the Scheduled Tribes (POA) Act for grant anticipatory bail, however, requested the Court to permit the petitioner to surrender before the Magistrate concerned and file an application for grant of bail, after serving notice on the Public Prosecutor, in which event, the Presiding Officer may be directed to decide the application on the same day.

3. Acceding to the request of learned counsel for the petitioner and considering the material available on record, I deem it appropriate to permit the petitioner to surrender before the Sessions Court for trial of cases under Scheduled Castes and the Scheduled Tribes (POA) Act and on such surrender, the learned Sessions Judge is requested to decide the application for bail, if any, filed on the same day, after serving notice on the learned Public Prosecutor.

M.SATYANARAYANA MURTHY, J

21.02.2017

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