

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.904 OF 2017

ORDER:

This Criminal Petition is filed under Section 438 of Cr.P.C. to enlarge the petitioner on bail in the event of his arrest in Crime No.150 of 2016 of Bhimadole Police Station, West Godavai District, Andhra Pradesh, registered for the alleged offences punishable under Sections 420 I.P.C. and Section 3 (1) (s) of Scheduled Castes and Scheduled Tribes (POA) Act, apprehending his arrest in the above crime.

Petitioner herein is A.2 in the above crime.

The only case against the petitioner is that he abused the defacto complainants raising their caste name and the petitioner is a document writer who was present when the defacto complainants demanded for payment of sale consideration from A.1. But the specific allegation against the petitioner is that he abused them referring their caste. However, in view of bar under Section 18 of the Scheduled Castes and Scheduled Tribes (POA) Act, it is difficult to grant pre-arrest bail at this stage.

In those circumstances, petitioner is permitted to surrender before Special Court for trial of Scheduled Castes and Scheduled Tribes under the Act and on such surrender, the petitioner can file an application for grant of bail after serving notice to the Public Prosecutor before the said court and in the event of filing such an

application, the said court is directed to decide the application on the same day itself.

Accordingly, this Criminal Petition is disposed of.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

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JUSTICE M.SATYANARAYANA MURTHY

Dated 15-2-2017.

Dvs.



HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY



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Dvs