

SMT JUSTICE T.RAJANI

CRIMINAL PETITION No.2837 OF 2018

ORDER:

This petition is filed seeking for grant of anticipatory bail to the petitioner, who is sole accused, in Crime No.44 of 2018 on the file of Mangalagiri Town Police Station, Guntur Urban District. The offences alleged are under Section 3(1)(r)(s) of SC & ST (POA) Amendment Act, 1989.

2. Heard the counsel for the petitioner and the Public Prosecutor appearing for the respondent.

3. The case of the prosecution is that the petitioner abused the defacto complainant in her caste name. The defacto complainant is a party worker of TDP. On 27.02.2018, around 09.00am, a programme took place at MSS Bhavan. After that, the complainant went to Mangalagiri Municipal Chairperson's house and there, the petitioner was present and he called her and expressed that posts have been given to Dalits and they should be indebted to them. On that, the complainant expressed that it would not be enough for them to get the posts and that they have to work with the people. Then the petitioner slapped the defacto complainant and abused her with caste name. When the allegations constitute an offence under Section 3(1)(r)(s) of SC/ST POA (Amended) Act, Section 18 of the Act does not permit the Court to grant anticipatory bail.

4. Hence, in view of the above facts, this court opines that this is a not a fit case for granting anticipatory bail.

5. Accordingly, the Criminal Petition is dismissed. However, the petitioner can file a petition seeking for regular bail by surrendering himself before the court below having the jurisdiction. The court below shall dispose of the bail application on merits, if any filed, expeditiously, preferably on the same day, subject to the pressure of other work.

6. As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

T.RAJANI, J

14.03.2018
SS

