

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

Criminal Petition No.10581 of 2018

ORDER :

The petitioners are A.1, A.3 and A.4 in Cr.No.101 of 2018 of Police Station Mustabad, Rajanna Sircilla district, registered for the offences punishable under Sections 323 read with 34IPC and Section 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) amended Act, 2015(for short, 'the Act')

Heard the learned counsel for the petitioner and the learned Public Prosecutor for the respondent-State opposing the same and perused the First Information Report, bail application averments and the order of this Court in CrI.P.No.9019 of 2018 referring to the order in CrI.P.No.9119 of 2018, dt.31.08.2018 in K.Srinivas @Sivaswamy Vs.The State of Andhra Pradesh on the scope of the amended Section 18(a) of the Act vis-à-vis Section 18 of the Act.

On perusal of the First Information Report shows there is abuse touching caste in public view thereby there is a bar to grant either under Section 438 or 482 Cr.P.C. but for to say none of the offences are punishable even more than 3 years, the Criminal Petition is disposed of by giving liberty to the petitioner to surrender before the learned Sessions Judge with a notice to the learned Public Prosecutor and in such an event the learned Sessions Judge shall grant bail on the same day with necessary conditions. Consequently, miscellaneous petitions, if any, pending in this criminal petition, shall stand closed.

---

Dr. B. SIVA SANKARA RAO, J

Date: 12.10.2018

vvr