

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1272 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioner/accused, for grant of bail in Crime No.813 of 2018 of Malkajgiri Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 366, 354 and 506 of IPC and Sections 3(1)(w) and 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (PoA) Amendment Act, 2014 and Section 12 of POCSO Act, 2012.

2. Heard the learned counsel for the petitioner/accused, the learned Additional Public Prosecutor representing the respondent/State and perused the record.

3. It has been contended that the petitioner/accused has to be dealt with in accordance with the provisions laid down under Sections 6 and 12 etc., of the Juvenile Justice (Care & Protection of Children) Act, 2015 (for short 'the Act'). The bail under Section 438 of Cr.P.C. is contemplated, where there is apprehension of arrest. As per the record, the petitioner is a juvenile. He has to be dealt with in terms of Sections 6 and 12 of the Act. In the said crime, no arrest is contemplated against the petitioner/accused. Under these circumstances, the petitioner/accused and the Investigating Officer are directed to follow the provisions of the Act.

4. With the above direction, the Criminal Petition is disposed of.

DR. SHAMEEM AKTHER, J

Date: 19.03.2019

ssp

