

HON'BLE Ms. JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2750 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioners/A.1 to A.5 in Crime No.97 of 2019 of Yacharam Police Station, Rachakonda, Ranga Reddy District, seeking anticipatory bail.

Heard learned counsel for the petitioners/A.1 to A.5 and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

It is fairly conceded by the learned counsel for the petitioners/A.1 to A.5 that since there is a specific bar under Section 18 of the SCs and STs (POA) Act, 1989 (for brevity "the Act") the present petition under Section 438 Cr.P.C. is not maintainable. It is contended that the petitioners are no way concerned with the alleged offence and they were falsely implicated in the above said crime only as a counter-blast in reference to Crime No.95 of 2019. It is also contended that most part of investigation has already been completed and only a formal charge sheet is to be filed in the above crime.

On the other hand, the learned Additional Public Prosecutor opposed the relief sought in the above petition.

In view of the allegations made and having regard to the bar contained under the provisions of the Act, I am not

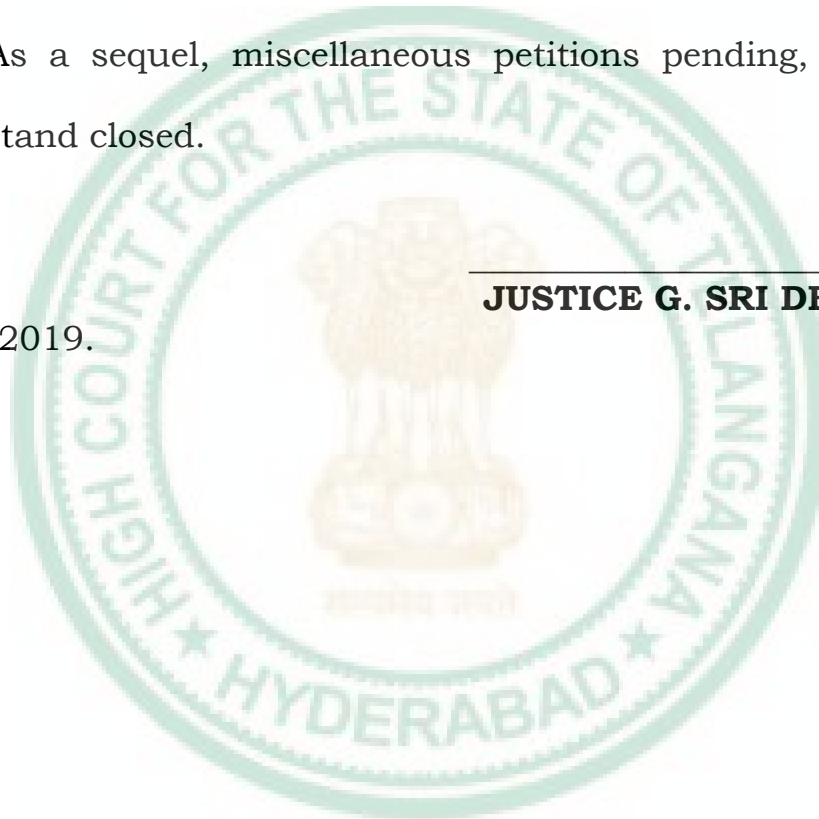
inclined to grant anticipatory bail. However, the petitioners/A.1 to A.5 are directed to surrender before the Special Court under the SCs and STs Act at Ranga Reddy District and move an application for regular bail, after giving prior notice to the Public Prosecutor concerned and, in which event, the same shall be considered on the same day on such terms as the said Court deems fit and proper.

Accordingly, the Criminal Petition is disposed of.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G. SRI DEVI

04.06.2019.
Msr



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04.06.2016
Msr