

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2898 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioner/A.1 in Crime No.54 of 2019 of Akkannapet Police Station, Siddipet, registered for the offences punishable under Sections 3(2)(va) of SCs and STs (POA) Act, 1989 (Amendment Act, 2015) (for brevity “the Act”) and Sections 66(E), 67, 67(A) of I.T.Act, 2000, seeking anticipatory bail.

Heard learned counsel for the petitioner/A.1 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 petitioner/A.1 that since there is a specific bar under Section 18 of the Act, the present petition under Section 438 Cr.P.C. is not maintainable. It is contended that the petitioner is no way concerned with the alleged offence and he was falsely implicated in the above said 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

petitioner/A.1 is directed to surrender before the concerned Special Court under the SCs and STs Act 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.

20.06.2019.
vhb

JUSTICE G. SRI DEVI



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vhb