

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2953 OF 2019

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C'), is filed by the petitioners/Accused Nos.5 and 6 for grant of anticipatory bail in the event of their arrest in Crime No.288 of 2019 of Vanasthalipuram Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 448, 427 and 323 I.P.C and Section 3 (2) (Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 (for short, 'the Act').

2. Heard learned counsel for the petitioners/Accused Nos.5 and 6 and the learned Additional Public Prosecutor appearing for the respondent/State. Perused the material on record.

3. Learned counsel for the petitioners/Accused Nos.5 and 6 would submit that the petitioners did not commit any offence as alleged in the complaint; that the petitioners were falsely implicated in this case and hence, he prays to grant anticipatory bail to the petitioners/Accused Nos.5 and 6.

4. Since there is a specific bar under Section 18 of the Act, the present petition under Section 438 Cr.P.C. is not maintainable.

5. 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 to the petitioners/Accused Nos.5 and 6. However, the petitioners/Accused Nos.5 and 6 are directed to

surrender before the Special Court concerned and move an application for regular bail, after giving prior notice to the Public Prosecutor concerned. In the event of filing of such application, the same shall be considered on the same day on such terms and conditions as the said Court deems fit and proper.

6. Accordingly, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this petition shall stand closed.

JUNE 17, 2019

YVL

JUSTICE G. SRI DEVI



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Date: 17.06.2019

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