

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO. 2918 of 2019

ORDER :

1. The petitioners, who are accused Nos.2 to 4 and 6 to 8, filed the present application under Section 438 Cr.P.C. seeking release in the event of their arrest in connection with Crime No.179 of 2018 of Basanthnagar Police Station, Peddapalli District, registered for the offences punishable under Sections 341, 313, 506, 354-C r/ w 34 of IPC, Sections 376 2(n), 3(1)(s) and 3(2)(va) of SCs and STs (POA) Act, 1989 (Amendment Act, 2015) (for short “the Act”).

2. Heard learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent State. Perused the material on record.

3. It is fairly conceded by the learned counsel for the petitioners 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 also contended that the petitioners are no way concerned with the alleged offences.

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

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. However, the petitioners are directed to surrender before the Special Court under the SCs and STs Act at

Panga Reddy District and move an application for regular bail, after giving prior notice to the Public Prosecutor concerned, in which event, the same shall be considered on the same day on such terms as the said Court deems fit and proper.

6. Accordingly, the Criminal Petition is disposed of.

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

14.06.2019.  
vnb

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JUSTICE G. SRI DEVI

