

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.2987 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 petitioner/accused for grant of anticipatory bail in the event of his arrest in Crime No.46 of 2019 of Gandhinagar Police Station, Hyderabad, registered for the offence punishable under Section 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 (for short, 'the Act').

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

3. Learned counsel for the petitioner/accused would submit that the petitioner has not committed any offence as alleged in the complaint; that due to differences arose between the petitioner and the *de facto* complainant, the present complaint is lodged and hence, he prays to grant anticipatory bail to the petitioner/accused.

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 petitioner/accused. However, the petitioner/accused is 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.

JUSTICE G. SRI DEVI

JUNE 18, 2019

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Date: 18.06.2019

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