

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.3280 of 2019

ORDER :

This Criminal Petition under Section 438 of Cr.P.C. is filed by the petitioners, who are A.1 to A.3, seeking anticipatory bail in the event of their arrest in Crime No.6 of 2019 of Gummadidala Police Station, Sangareddy District, registered for the offences punishable under Sections 427 and 506 r/w. Section 34 of IPC and Section 3(1)(s) of SCs and STs (POA) Act, 2015.

Heard learned counsel for the petitioners/A.1 to A.3 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.3 that since there is a specific bar under Section 18 of the SCs and STs (POA) Act, 2015, 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. It is also contended that most part of investigation has already been completed and that the petitioners are ready to abide by any of the conditions imposed by this Court and would cooperate with the investigation, if they were released on anticipatory bail in the event of their arrest in connection with the aforesaid 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 Section 18 of the Act, I am not inclined to grant anticipatory bail. However, the petitioners/A.1 to A.3 are directed to surrender before the Special Court for Trial of Cases under SCs and STs Act-cum-V Additional District and Sessions Judge, Sangareddy 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

27.06.2019.
Msr

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27.06.2016
Msr