

**HON'BLE SRI JUSTICE C.PRAVEEN KUMAR**

**CRIMINAL PETITION No.3697 of 2015**

**ORDER:**

Heard learned counsel for the petitioner and learned Public Prosecutor appearing for the respondent-State.

The petitioner, who is the sole accused, filed this Criminal Petition under Section 438 Cr.P.C. seeking release in the event of his arrest in connection with Crime No.66 of 2015 of Kadapa I Town Police Station, Kadapa District, registered for an offence punishable under Section 420 IPC.

Learned counsel for the petitioner mainly submits that the offence alleged against the petitioner/accused is under Section 420 IPC, which is punishable with imprisonment for less than seven years and hence he seeks a direction to the investigating agency to follow Section 41 Cr.P.C. and the judgment of the Apex Court in ***Arnesh Kumar v. State of Bihar and another.***

Having regard to the nature of offence with which the petitioner is charged and since the offence alleged against the petitioner is punishable with imprisonment for a term which is less than seven years, the investigating agency shall scrupulously follow the conditions stipulated in the judgment of the Apex Court and also Section 41 Cr.P.C., before taking any coercive steps against the petitioner.

With the above direction, the Criminal Petition is disposed of.

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**JUSTICE C. PRAVEEN KUMAR**

28.04.2015

Note: Issue C.C. by tomorrow.

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