

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.17249 of 2016

ORDER:

This criminal petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for brevity, "the Code") to quash the proceedings in FIR No.406 of 2016 of Sarpavaram Police Station for the offences punishable under Sections 447, 427, 417, 420, 467, 468, 471, 474 and 120 (b) r/w 34 IPC on various grounds.

The petitioner is accused No.9 in the subject crime. After advancing arguments for a while, learned counsel for the petitioner, Sri M.V.Subba Reddy, requested this court to issue necessary directions to Sarpavaram Police to follow the procedure prescribed under Section 41-A of the Code and also the guidelines laid down by the Apex Court in ***Arnesh Kumar v. State of Bihar and another (Crl.Appeal No.1277 of 2014)***¹, without touching any merits of the petition

Acceding to the request made by the learned counsel for the petitioner, I deem it appropriate to direct the Sarpavaram Police to follow the procedure prescribed under Section 41-A of the Code and the guidelines issued by the Apex Court in ***Arnesh Kumar's*** case referred supra.

With the above direction, the Criminal Petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

¹ (2014) 8 SCC 273

JUSTICE M. SATYANARAYANA MURTHY

December 29, 2016

LMV

