

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.16417 OF 2016

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973 (for short, 'Cr.P.C. '), is filed to quash the proceedings in Cr.No.258 of 2016 of Godavari Khani I Town Police Station, registered against the petitioners and others for the offence punishable under Section 386 of Indian Penal Code, 1860 (for short, 'I.P.C. ').

Though the petitioners raised several contentions both on fact and law, during hearing, learned counsel for the petitioner limited his argument and requested this court to direct the Police to follow the procedure provided under Section 41-A Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR v. STATE OF BIHAR**¹.

In view of the request made by the counsel for the petitioner, this court need not examine the grounds in the criminal petition.

Acceding the request of the counsel for the petitioners, the Police, Godavari Khani I Town Police Station, Godavari Khani District, is directed to follow the procedure provided under Section 41-A Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR**'s case referred to supra before effecting the arrest of the petitioners.

¹ 2014(8) SCALE 250

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With the above direction, the criminal petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTHY, J

Date: 30.11.2016
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