

THE HONOURABLE Dr.JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.16670 of 2016

ORDER:

The petitioners 1 and 2 maintained the Writ Petition to issue a writ or order more particularly in the nature of writ of mandamus declaring the action of 4th respondent i.e., Station House Officer, Abids Police Station, in alleged threatening the petitioners under the guise of FIR No.88 of 2016 dt.10.03.2016 registered on the on the report of the 5th respondent against them as illegal, with a consequential interim direction not to arrest.

2. Heard counsel for the petitioner and the Government Pleader for Home appearing for respondents 1 to 4 and perused the material on record.

3. Once the crime is registered it is the prerogative of the police to investigate; and arrest is part of the investigation as per the provisions of the Criminal Procedure Code, but for to say the police shall strictly follow the guidelines as per the judgment in ***Arnesh Kumar v. State of Bihar and another***^[1].

4. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

5. Consequently, miscellaneous petitions pending if any shall stand closed.

Dr. B.SIVA SANKARA RAO, J

26th May, 2016.

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^[1] 2014(2) ALT CrI. 457 (SC)