

HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.15319 OF 2016

ORDER:

This Criminal Petition is filed under Section 482 of Cr.P.C. to quash the proceedings in Cr.No.65 of 2012 on the file of III Town Police Station, Karimnagar for the offences punishable under Sections 420 and 406 read with 34 of I.P.C.

The case of the respondents 2 to 6-defacto complainants is that the petitioners-accused made a fraudulent representation and believing the same, the respondents parted with huge amount but petitioners did not fulfill the promise made and as such, they cheated the respondents.

As seen from the allegations of F.I.R. on its face value, it constitutes the offences punishable under Sections 420 and 406 of I.P.C. prima facie if proved.

At this stage, the learned counsel for the petitioners requested to pass an order or direction to police to follow the procedure as contemplated under Section 41-A of Cr.P.C. and the guidelines laid down by the Supreme Court in *ARNESH KUMAR v. STATE OF BIHAR AND ANOTHER*¹.

Acceding the request of the counsel for the petitioners, I deem it appropriate to direct the police to follow the procedure as contemplated under Section 41-A of Cr.P.C. and the guidelines laid down by the Supreme Court in *ARNESH KUMAR v. STATE OF BIHAR AND ANOTHER* (1st cited).

¹ 2014(8) SCALE 250

Accordingly, this Criminal Petition is disposed of directing the police to follow the procedure as contemplated under Section 41-A of Cr.P.C. and the guidelines laid down by the Supreme Court in *ARNESH KUMAR v. STATE OF BIHAR AND ANOTHER* (1st cited).

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

JUSTICE M.SATYANARAYANA MURTHY

Dated 28-10-2016.

Dvs.



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Dvs