

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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WRIT PETITION No.130 of 2016

ORDER:

The petitioners are the accused in Crime No.365 of 2015 on the file of Piduguralla Town Police Station. The said crime was registered under Sections 420, 498-A and 506 I.P.C. read with Sections 3 and 4 of the Dowry Prohibition Act, 1961. The grievance of the petitioners is that the police authorities are acting in violation of the law laid down by the Supreme Court in **Arnesh Kumar v. State of Bihar**^[1]. The petitioners state that they have already secured anticipatory bail in relation to the subject offence. However, they complain that the police authorities did not issue them a notice under Section 41-A Cr.P.C., but were threatening to arrest them.

As the law laid down in **Arnesh Kumar's** case (supra) is binding upon the police authorities, there shall be a direction to the respondent police authorities to strictly follow the directions of the Supreme Court in the said decision while dealing with the subject case.

The writ petition is disposed of with the above direction.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:05.01.2016
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^[1] (2014) 8 SCC 273