

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9642 OF 2017

ORDER:

Heard the learned counsel for the petitioner/accused and the learned public prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent – defacto complainant.

2. It is the contention from the grounds urged in the quash petition by the petitioner that she is also arrayed as one of the accused among about 173 accused of the FIR with no name of her specifically in saying police are after her one way or other to ill-treat by taking to custody.

3. So far as one of the such accused concerned, another Bench of this Court in CrI.P.No.6018 of 2017, dated 21.07.2017, observed that petitioner therein is entitled to protection of Section 41 Cr.P.C. in the present Crime No.191 of 2017 of SHO, Huzurnagar P.S., Suryapet Police Station, for none of the offences are punishable above seven years and the expression of the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹, that applies.

4. Accordingly and with the above observation, this criminal petition is disposed of, for nothing to interdict the investigation but for giving such protection. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

23.10.2017
SS

¹ 2014 (5) SCC 324