

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.8808 of 2017

ORDER:

This criminal petition is filed by accused No.8, under Section 438 of Cr.P.C., to grant pre arrest bail in Crime No.45 of 2017 on the file of the Station House Officer, Pitchatoor Police Station, Chittoor District.

2. At the time of arguments, the learned counsel for the petitioner seeks permission of the court to permit the petitioner to withdraw the petition and the only relief sought by the learned counsel for the petitioner is to direct the Station House Officer to follow the procedure contemplated under Section 41 A Cr.PC. Permission is accorded.

3. It is needless to say that the Station House Officer has to follow the procedure contemplated under Cr.P.C in view of the principle enunciated in **Arnesh Kumar v. State of Bihar**¹.

4. Accordingly, the criminal petition is dismissed as withdrawn.

T.SUNIL CHOWDARY, J

September 22, 2017
YS

¹ (2014) 8 SCC 273