

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.2588 OF 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.') is filed to grant pre-arrest bail to the petitioner/A.1 apprehending his arrest in connection with Crime No.3 of 2017 of Police Station, Kamareddy, registered for the offences punishable under Sections 498-A, 406 of IPC, Section 4 of Dowry Prohibition Act and Section 3(1)® & (s) of SCs/STs (POA) Act, 1989.

After arguing the matter for a while, learned counsel for the petitioner requested this court to issue a direction to the investigating agency to follow the procedure contemplated under Section 41-A Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR V. STATE OF BIHAR**¹.

It is needless to say that the investigating agency is bound to follow the procedure under Section 41-A of Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR v. STATE OF BIHAR**, otherwise it would amounts to contempt. Therefore, this Court is not required to any specific direction to follow the Apex Court guidelines.

Acceding to the request made by the counsel for the petitioner, the investigating agency is directed to follow the procedure contemplated under Section 41-A Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR v. STATE OF BIHAR** (1supra), if applicable, to the offences allegedly committed by the petitioner.

¹ (2014) 8 SCC 273

With the above observation and direction, the criminal petition is disposed of.

M. SATYANARAYANA MURTHY, J

Date:03.04.2017
ccm



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