

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

CRIMINAL PETITION No.6975 OF 2017

ORDER:

Heard learned counsel for the petitioner/A6 of Crime No.01 of 2017 of Piler Police Station, Chittoor District and also the 1st respondent – State, represented by learned Public Prosecutor, before ordering notice to the 2nd respondent.

2. A perusal of the very report of the defacto complainant- 2nd respondent shows in so far as petitioner/A6 concerned, particularly from the last two paras of page 2 of the report attracts Section 506 IPC, but for if at all from further investigation to disclose any other offence.

3. Having regard to the above, this criminal petition is disposed of, though section 506 IPC is otherwise non-cognizable, since the crime registered is along with cognizable offences that is not a bar, with observation that if at all any arrest is necessary of the petitioner, the police shall strictly follow Section 41A of Cr.P.C. and the guidelines laid down by the Hon'ble Apex Court in **Arnesh Kumar Vs. State of Bihar**¹ and further defences of the petitioner if at all is left open to approach the court after filing of final report.

4. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

09.08.2017
SS

¹ 2014 (5) SCC 324