

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

CRIMINAL PETITION No.7838 OF 2017

ORDER:

Heard learned counsel for petitioners/A1 to A3 of Crime No.70 of 2017, on the file of Lakkavaram P.S., West Godavari District, registered for the offences punishable under sections 498A, 324 r/w 34 IPC and also heard the learned public prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent – defacto complainant and perused the grounds urged in the quash petition and the contents of the FIR.

2. There is nothing to interdict the investigation but for to say so far as 1st petitioner – A1 concerned, 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 so far as petitioners 2 and 3 concerned, not to arrest pending investigation, however, that does not prevent the securing of them for purpose of investigation.

3. Accordingly and with the above directions, this Criminal Petition is disposed of, by left open all available defenses. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

18.09.2017
SS

¹ 2014 (5) SCC 324