

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.2894 OF 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.'), is filed to grant pre-arrest bail to the petitioners/A.1 and A.2 apprehending their arrest in connection with Crime No.270 of 2016 of Banaganapalli Police Station, Kurnool District, registered for the offences punishable under Sections 341, 323 r/w 34 of the Indian Penal Code, 1860 (for short 'I.P.C.') and Section 3 (i) (x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'SC/ ST Act').

After arguing the matter for a while, learned counsel for the petitioners 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.

Acceding to the request made by the learned counsel for the petitioners, 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 petitioners.

With the above direction, the Criminal Petition is disposed of.

Consequently, miscellaneous applications pending if any, shall also stand dismissed.

M. SATYANARAYANA MURTHY, J

Date:25.04.2017
knl

¹ (2014) 8 SCC 273

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Date:25.04.2017

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