

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.No.2240 OF 2017

ORDER:

This criminal petition is filed under Section 438 of Cr.P.C to enlarge the petitioner on bail in the event of his arrest in connection with Crime No.381 of 2016 of Nellore Rural Police Station, Nellore, SPSR District, registered for the offences punishable under Sections 323, 441, 464, 420, 471, 120b and 34 of IPC.

After arguing at length, learned counsel for the petitioner requested the Court to direct the investigating agency to issue notice under Section 41-A of Cr.P.C, following the guidelines of the Apex Court in **Arnesh Kumar v State of Bihar**¹, without touching any merits of the case.

In view of the request made by the learned counsel for the petitioner, without touching the merits of the case, the investigating agency is directed to follow the guidelines of the Apex Court in **Arnesh Kumar's** case (supra), otherwise it would amount to contempt. Therefore, no specific direction need be given as they are bound to follow the guidelines of the Apex Court in **Arnesh Kumar's case (supra)**.

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

Pending miscellaneous petitions in the petition, if any, shall stand closed.

M.SATYANARAYANA MURTHY,J

22.03.2017
kvrn

¹ 2014(2) ALT(Crl) 457(SC)