

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRL.P.No.2473 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.51 of 2017 of Chaderghat Police Station, Hyderabad, registered for the offences punishable under Sections 420 of IPC and Section 12(1)(b) of the Indian Passport Act.

Learned Additional Public Prosecutor for State of Telangana submitted that the investigating agency already issued notice under Section 41-A of Cr.P.C, which is pending for consideration. Thereby, question of arrest of the petitioner does not arise without following the guidelines of the Apex Court in **Arnesh Kumar v State of Bihar**¹.

In view of the above submission, 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

04.04.2017
kvrn

¹ 2014(2) ALT(Crl) 457(SC)