

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7027 of 2017

ORDER:

Heard learned counsel for the petitioners/A.1 & A.2 in crime No.104 of 2017 of Tanuku Town Police Station, West Godavari District, registered for the offences under Sections 354, 341, 323, 506 (2) r/w 34 IPC and also learned Public Prosecutor representing the 1st respondent-State and before ordering notice to respondent No.2-defacto complainant and perused the FIR and other material on record.

As the investigation is at the nasal stage, this Court is not in a position to stall the investigation.

Having regard to the above, the Criminal Petition itself is disposed of without prejudice to all available defence of the accused, however, by making clear in the event of necessity of arrest, the police should follow strictly Section 41-A Cr.P.C. and guidelines of the expression of the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 11.08.2017
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¹ 2014 (8) SCC 273