

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.996 OF 2017

ORDER:

The petitioners are arraigned as accused Nos.2 to 4 in Crime No.257 of 2016 of Indrapalem Police Station, East Godavari District. They request to exercise the power under Section 482 of the Code of Criminal Procedure, 1973 (for short 'the Code') to quash the First Information Report in the said crime.

2. The petitioners alleged to have committed the offences punishable under Section 498-A read with 34 IPC and Sections 3 and 4 of the Dowry Prohibition Act, 1961, along with accused No.1, who is no other than husband of respondent No.2 - *de facto* complainant.

3. Sri B. Prakasam, learned counsel representing Ms. B. Srilatha, learned counsel for the petitioners, would, while giving up the main prayer of quashment, requests to give a direction to the Investigating Officer to follow the procedure inlaid by the provisions of Section 41A of the Code and also to follow the guidelines laid down by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹. The request appears to be reasonable.

4. Therefore, acceding to the request, the Investigating Officer is directed to follow the procedure prescribed by the provisions of

1. (2014) 8 SCC 273

Section 41A of the Code as well as the guidelines laid down by the Hon'ble Supreme Court in **Arnesh Kumar's Case** (Supra).

With the above direction, the present Criminal Petition is disposed of. As a sequel thereto, miscellaneous petitions, if any, pending in the petition, stand closed.

A. SHANKAR NARAYANA, J

March 23, 2017.

Mgr

