

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2095 of 2017

ORDER:

The present petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'the Code') requesting to quash the First Information Report in Crime No.49 of 2017 of P.S.Chityal, Nalgonda District.

The petitioner is shown as the sole accused in the aforesaid crime and he alleged to have committed the offences punishable under Sections 420 and 506 of the Indian Penal Code.

Sri D.Y.N.L.N.Charyulu, learned counsel for the petitioner, having tendered elaborate arguments touching the merits of the allegations mentioned in the complaint and also with reference to the e-mails forwarded to the petitioner, but not directly addressed to him, by one Sahiti and respondent No.2/*de facto* complainant herein, whose father is working as Panchayat Secretary under the petitioner, but would finally restrict the request to the extent of giving direction to the Investigating Officer to follow the procedure inlaid under Section 41A of the Code.

Learned Additional Public Prosecutor for the State of Telangana would assure that the Investigating Officer would follow the procedure contemplated under the provisions of Section 41A of the Code.

In view of the aforesaid submissions and in view of the fact that the offence under Section 420 of IPC is punishable with sentence of

imprisonment less than seven years, the Investigating Officer is directed to follow the procedure prescribed under 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.

With the above direction, the Criminal Petition is dismissed.

Miscellaneous Petitions, if any, pending in this petition, shall stand closed.

A. SHANKAR NARAYANA, J

March 17, 2017.
v v



¹ (2014) 8 SCC 273