

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.3213 OF 2017

ORDER:

This Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973 (for short, 'the Cr.P.C.') is filed to grant pre-arrest bail to the petitioners/A-5 and A-6 apprehending their arrest in connection with Crime No.46 of 2017 of Garlabayyaram Police Station, Mahaboobabad District, registered for the offences punishable under Section 498-A of IPC and Sections 3 and 4 of Dowry Prohibition Act on various grounds.

During hearing, the learned counsel for the petitioner represented that this matter is compromised on 16.04.2017 and reduced the compromise into writing due to intervention of elders. But, it is not reported.

In view of the compromise among the parties to the case, no order need be passed and the police are directed to enquire into the compromise and if the matter is compromised, no further action is taken.

Further, after arguing the matter for a while, learned counsel for the petitioner requested this court to issue a direction to the investigating agency to follow the procedure contemplated under Section 41-A Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR v. STATE OF BIHAR**¹.

It is needless to say that the investigating agency is bound to follow the procedure under Section 41-A of Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR v. STATE OF BIHAR**, otherwise it would amounts to contempt. Therefore, this

¹ (2014) 8 SCC 273

Court is not required to any specific direction to follow the Apex Court guidelines.

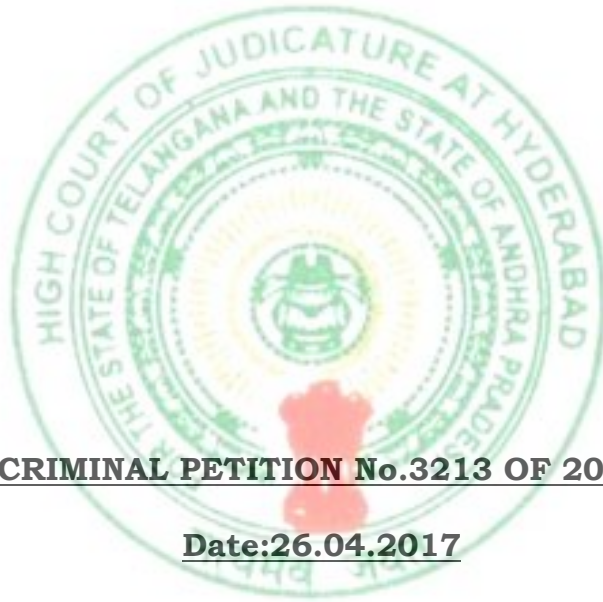
With the above observation, the criminal petition is disposed of.

M. SATYANARAYANA MURTHY, J

Date:26.04.2017
ccm



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