

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.2477 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.1 and A.2 apprehending their arrest in connection with Crime No.47 of 2017 of Ravulapalem Police Station, East Godavari District, registered for the offences punishable under Sections 417, 420, 384 r/w 34 of IPC.

After arguing the matter for a while, learned counsel for the petitioners 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 amount to contempt.

Therefore, this Court is not required to give any specific direction to follow the Apex Court guidelines. Therefore, no direction need be given since the investigating agency is bound to follow the procedure under Section 41-A of Cr.P.C. Hence, the direction sought for by the learned counsel for the petitioners need not be issued.

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

M. SATYANARAYANA MURTHY, J

Date:06.04.2017
ccm

¹ (2014) 8 SCC 273

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