

THE HONOURABLE Dr.JUSTICE B. SIVA SANKARA RAO

Criminal Petition No.9173 of 2017

ORDER :

Heard the learned counsel for the petitioner/ accused in Cr.No.507 of 2017 on the file of P.S.Chaitanyapuri, Rachakonda Commissionerate, registered for the offences punishable u/ sec.420 IPC for the alleged dishonour of the cheque, and also the learned Public Prosecutor for the 1st respondent-State and perused the material on record.

It is premature for the Court to express any opinion on merits but for all defences to be made available and left open for nothing to interdict the investigation.

In view of the above, the Criminal Petition is disposed of for nothing to keep pending. If at all arrest of the petitioner is required, the police strictly to follow Section 41-A IPC and also the guidelines in Apex Court in Arnesh Kumar Vs. State of Bihar¹, and this will not prevent the police to secure presence of the petitioner for the purpose of investigation.

Consequently, pending miscellaneous petitions, if any, shall stand closed.

Date:03.10.2017
vvr

Dr. B. SIVA SANKARA RAO J,

¹ (2014) 8 SCC 273