

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.6242 OF 2017

ORDER:

Heard learned counsel for the petitioners of Crime No.29 of 2017 on the file of Duttaluri Police station, Nellore District, and also the learned Public Prosecutor, representing the 1st respondent – State, before ordering notice to the 2nd respondent – defacto complainant and perused the averments in the quash petition, impugning the said crime registered for the offences punishable under Sections 406, 420, 506 r/w 34 IPC and U/s. 3(1)(r)(s), 3(1)(f) of SC/ST (Prevention of Atrocities Act), Act 2015.

2. Undisputedly, the punishments provided are seven years and below for any of all the offences.

3. Having regard to the above, though there are no grounds to interfere to quash the FIR at this stage, this Court feels it just, in view of the law of land covered by the expression of the Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹, to direct the Investigation Officer to strictly follow the guidelines in the expression supra before arrest subject to necessity if any.

¹ 2014 (1) ALD (CrI) 826 SC

4. Accordingly and with the above direction, this criminal petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

31.07.2017

SS

