

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

CRIMINAL PETITION No.6974 OF 2017

ORDER:

The petitioners are A12 and A45, among 46 or more accused of Crime No.123 of 2017 of Mulakalapally Police Station, Bhadradri Kothagudem District, registered for the offences punishable under Sections 324, 506, 509, 143 r/w 149 of IPC and Sections 3(1)(g,r,s,w(i)) of SC/ST POA Amended Act, 2015, on the report of the 1st respondent – defacto complainant.

2. Heard the learned counsel for the petitioners and also the 2nd respondent – State represented by learned public prosecutor, before ordering notice to the 1st respondent – defacto complainant and perused the grounds urged and the FIR.

3. A perusal of the same **no** way enables the court to interdict the investigation. Hence, this criminal petition is disposed of, for nothing to admit, by left open of available defences for future, by observation of in the event of any necessity of arrest of the petitioner, the police shall strictly follow Section 41A of Cr.P.C. and the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹, for none of the offences punishable above seven years.

DR.B.SIVA SANKARA RAO, J

09.08.2017
SS

¹ 2014 (5) SCC 324