

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

W.P.No.29272 of 2017

ORDER

This writ petition under Article 226 of the Constitution of India is filed to declare the proceedings in Cr.No.89 of 2017 of Kanekal Police Station, Ananthapur District, registered for the offences punishable under Sections 447, 323, 355, 506 read with Section 34 IPC and under Sections 3(1)(r)(s) of SCs & STs (POA) Amendment Act, 2015, as illegal, arbitrary and without jurisdiction and violative of principles of natural justice and consequently, to quash the same against the petitioners.

2. Learned counsel for petitioners, after arguing the matter for sometime, requested this Court to direct the police concerned to follow the procedure under Section 41-A Cr.P.C.

3. Acceding to the request of the counsel for petitioners, without touching the merits of the matter, the Writ Petition is disposed of, directing the police concerned to follow the procedure under Section 41-A Cr.P.C. and the guidelines issued by the Apex Court in **Arnesh Kumar v. State of Bihar**¹. No order as to costs.

4. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

M. SATYANARAYANA MURTHY, J

11th December, 2017

sj

¹ (2014) 8 SCC 273