

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7435 of 2017

ORDER:

Heard the counsel for the petitioners, who are no doubt not named in the FIR, but according to the petitioners subsequently arrayed as accused without basis. It is therefrom sought for quashing of the array of them in the Crime under investigation.

The remand report or the so-called disclosure statement of the accused persons of FIR if at all showing involvement of any of the petitioners herein, in the absence of produced before the Court, the Court cannot express any opinion.

Having regard to the above, there is nothing to keep the petition pending but for disposal while dispensing with the presence of the petitioners/accused. In the event of any necessity of arrest of the petitioners, police shall strictly follow Section 41A Cr.P.C. and the guidelines laid down by the Apex Court in { *Arnesh Kumar v. State of Bihar*(2014(8) SCC 273)} .

Accordingly and in the result, the Criminal Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

September 4, 2017
LMV