

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.6931 of 2017

ORDER:

This petition is filed, by the petitioner-accused, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.57 of 2017 on the file of the Station House Officer, Kothakota Police Station, registered for the offences punishable under Sections 420 and 406 I.P.C., and Section 7 of the Essential Commodities Act.

2. At the time of hearing, the only relief sought by the learned counsel for the petitioner is to direct the police to follow the procedure as contemplated under Section 41A Cr.P.C.

3. It is needless to say that the investigating officer has to follow the procedure as contemplated under Section 41A Cr.P.C. in view of the principle enunciated by the Supreme Court in **Arnesh Kumar v. State of Bihar**¹.

4. Hence, the Criminal Petition is disposed of.

T.SUNIL CHOWDARY, J

Date: 05.09.2017
Ivd

¹ (2014) 8 SCC 273