

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.1320 OF 2017

ORDER:

This petition is filed under Section 438 of Criminal Procedure Code (for short "Cr.P.C.") to quash the proceedings in Crime No.17 of 2014 on the file of Malkipuram Police Station, East Godavari District, registered for the offences punishable under Sections 417, 420 IPC r/w 34 IPC & Section 4 of the Protection of Children from Sexual Offences Act, 2012.

Learned counsel for the petitioner after arguing for sometime, requested this Court to direct the police to follow the procedure laid down under Section 41-A of Cr.P.C and guidelines formulated by the Apex Court in "**Arnesh Kumar v. State of Bihar and another¹**".

It is needless to mention that the Supreme Court made it clear that violation of guidelines in **Arnesh Kumar** case amounts to Contempt of Court action. Therefore, the Investigation Agency is bound to adhere to the guidelines issues in **Arnesh Kumar** case.

With the above directions, the petition is disposed of.
No costs.

The miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:17.02.2017

SP

Note: cc today

b/o

SP

¹ (2014) 8 SCC 273