

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9550 of 2017

ORDER :

Heard the learned counsel for the petitioners/ A1 and A2 of Crime No.46 of 2017 of Gandepalli Police Station, East Godavari District, registered on the report of 2nd respondent/de facto complainant, for the offences punishable under Sections 420, 406, 506 r/w 34 I.P.C. and the learned Public Prosecutor representing the State before ordering notice to respondent No.2/ de facto complainant and perused the F.I.R. and grounds urged in the Criminal Petition.

The Crime is originally registered against four accused, of whom, A2 is father of A1. On a perusal of the material on record, there is nothing to interdict the investigation, much less, to keep the petition pending.

So far as the allegations against petitioner No.2/ A2 is concerned, he allegedly threatened the de facto complainant for demand of the amount from A1. Hence, there shall be stay of arrest of petitioner No.2/ A2. Insofar as petitioner No.1/ A1 is concerned, in the event of any necessity of his arrest, the Police strictly follow Section 41-A Cr.P.C. and the guidelines of the Apex Court as laid down in Arnesh Kumar v. State of Bihar¹, as none of the offences are punishable above seven years.

Accordingly, the Criminal Petition is disposed of.

Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date:12-10-2017
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¹ (2014 (2) ALT (Gr.I.) 457 SC)