

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.9704 OF 2017

ORDER:

The petitioners are A1 to A6 of Crime No.185 of 2017 of II Town Police Station of SPSR Nellore District, registered for the offences punishable under Sections 420, 323, 506 r/w 34 IPC and Sections 3 and 4 of Dowry Prohibition Act.

2. Heard learned counsel for the petitioners and also the learned public prosecutor, representing the 1st respondent – State, before ordering notice to 2nd respondent – defacto complainant and perused the grounds urged in the quash petition and the contents of the FIR.

3. It is premature for this Court to make or express any opinion as the investigation is at nasal stage, but for to say, for none of the offences are punishable above seven years, in the event of any necessity of arrest of the petitioners, the police shall strictly follow Section 41A Cr.P.C. and the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹.

4. Accordingly and with the above observation, this criminal petition is disposed of. All defenses of the petitioners are left open. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

24.10.2017

*Note: issue C.C. by tomorrow.
B/o.SS*

¹ 2014 (5) SCC 324