

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

CRIMINAL PETITION No.9277 OF 2017

ORDER:

Heard learned counsel for the petitioner/accused of Crime No.430 of 2017 of P.S.Meerpet, registered for the offences punishable under sections 354 and 406 IPC and also the learned public prosecutor, representing the 1st respondent– State, before ordering notice to the 2nd respondent – defacto complainant and perused the material on record.

2. It is no doubt as contended by the counsel for the petitioner outcome of a family business dispute and the accused is no other than the defacto complainant's late husband's younger brother. In fact, there is nothing to interdict the investigation by entertaining the application, hence, this criminal petition is disposed of by left open all available defenses and also with the observation that police shall strictly follow Section 41A of Cr.P.C. and the guidelines laid down by the Hon'ble Apex Court in ***Arnesh Kumar Vs. State of Bihar***¹ in the event of any necessity of arrest of the petitioner.

3. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence.

DR.B.SIVA SANKARA RAO, J

04.10.2017
SS

¹ 2014 (5) SCC 324