THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.12669 of 2015

ORDER:

This petition is filed, by the petitioner-accused No.1, under Section 438 Cr.P.C., seeking anticipatory bail in Crime No.229 of 2015 on the file of the Station House Officer, Indrapalem Police Station, East Godavari District, registered for the offence punishable under Section 409 read with 34 I.P.C.

Learned counsel for the petitioner seeks permission of this Court to permit the petitioner to withdraw the petition. He further submitted that the investigating officer may be directed to follow the procedure as contemplated under Section 41A Cr.P.C.

Permission is accorded.

Accordingly, the Criminal Petition is dismissed as withdrawn. It is needless to say that the Station House Officer, Indrapalem Police Station, East Godavari District, 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]**.**

T.SUNIL CHOWDARY, J

Date: 18.09.2017
Ivd

[1] (2014) 8 SCC 273