

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.7903 of 2017

ORDER:

Heard learned counsel for the petitioners/accused Nos.1 & 2 in crime No.290 of 2017 of Jangaon Police Station, Warangal Commissionerate, registered for the offences punishable under Sections 420 & 506 IPC, and also learned Public Prosecutor representing the State and before ordering notice to respondent No.2-defacto complainant and perused the FIR and other material on record.

A perusal of the material on record shows there is nothing to interdict the investigation.

Having regard to the above, the Criminal Petition itself is disposed of without prejudice to all available defence of the accused, however, by making clear in the event of necessity of arrest, the police should follow strictly Section 41-A Cr.P.C. and guidelines of the expression of the Apex Court in **Arnesh Kumar Vs. State of Bihar**¹. The petitioners are at liberty to file material documents in relation to the alleged occurrence before the Investigating Officer to establish their bonafides.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 06.09.2017
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¹ 2014 (8) SCC 273