

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.8159 of 2017

ORDER :

Heard learned counsel for the petitioners/accused Nos.1 to 8, 10 to 12 and 14 to 26 of Crime No.167 of 2017 of Station House Officer, Tangutur Police Station, Prakasham District, registered for the offences punishable under Sections 143, 341, 186 and 506 read with 149 IPC and Section 7 of Criminal Amendment Act, 1932.

2. There is a force in the contention of the learned counsel for the petitioners that there is a bar for the police to register crime even to take cognizance for the learned Magistrate under Section 195(1) Cr.P.C. for the offence under Section 185 IPC concerned. However, coming to the other sections even of all punishable offences and though there is no interdict the investigation, the police shall strictly follow Section 41-A Cr.P.C., the guidelines of the Apex Court in **Arnesh Kumar v. State of Bihar**¹ and Section 167 Cr.P.C.

3. With the above observation, the criminal petition is disposed of.

4. Miscellaneous petitions pending, if any, in the Criminal Petition shall stand closed.

Dr. B. SIVA SANKARA RAO, J

5th September 2017.

Note:

Issue C.C. by 07.09.2017.

(b/o)
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¹ (2014) 8 SCC 273