

HONOURABLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.2252 OF 2017

ORDER:

The request made herein, under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is to quash the First Information Report No.22 of 2017 of Women Police Station, Begumpet, Hyderabad.

2. The petitioners herein, who are arraigned as accused Nos.1 to 9 viz., B. Sharath Kumar, B. Kamalamma, B. Vinod kumar, B. Rama Devi, B. Sai Kumar, B. Rajani, B. Sudhakar, Rajita and Satyanarayana, respectively, alleged to have committed the offences punishable under Sections 498-A ad 506 of Indian Penal Code, 1860 (IPC) and Sections 4 and 6 of the Dowry Prohibition Act, 1961.

3. Heard Sri K.V.L. Narasimha Murthy, learned counsel for the petitioners, and the learned Additional Public Prosecutor for the State of Telangana, and perused the material on record.

4. The learned counsel for the petitioners, having argued, however, makes request for a direction to the Investigating Officer to issue notice under Section 41-A of Cr.P.C. to follow the procedure prescribed therein.

5. It is true, there is reason to accede to the request of the learned counsel, as not only husband and parents-in-law of the *de facto* complainant are the accused, but also her brothers-in-law and sisters-in-law.

6. Therefore, the Investigating Officer concerned is directed to adhere to the procedure inlaid under Section 41-A of Cr.P.C., as directed by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹.

With the above direction, the Criminal Petition is dismissed, at the admission stage itself.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the Criminal petition stand closed.

March 17, 2017.

PV

A. SHANKAR NARAYANA

¹ (2014) 8 SCC 273