

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

CRIMINAL PETITION No.7425 OF 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioners/ A1 and A2, seeking to quash the proceedings in Crime No.127 of 2017 on the file of Anandapuram Police Station, Visakhapatnam, registered for the offences punishable under Sections 353, 427 r/w 34 I.P.C., which is an outcome of the report of the 2nd respondent, Police Constable 2903.

Heard learned counsel for the petitioners and learned Public Prosecutor appearing for the State, before ordering notice to respondent No.2/ de facto complainant and perused the grounds in the criminal Petition.

On perusal of the F.I.R., there is nothing to interdict the investigation.

Having regard to the above, the Criminal Petition is disposed of, directing the police to proceed with the investigation and in the event of any necessity of arrest of the petitioners, they have to follow Section 41-A Cr.P.C. and the guidelines of the Apex Court as laid down in Arnesh Kumar v. State of Bihar¹, strictly. All the defences of the accused are left open.

Miscellaneous petitions pending if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:01-09-2017

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¹ (2014 (2) ALT (CrI.) 457 SC)