

HON' BLE DR. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6217 of 2017

ORDER:

Heard the learned counsel for the petitioner/accused of Cr.No.80 of 2017 of Nagayalanka Police Station, Krishna District, registered for the offences punishable under Sections 408 and 420 IPC, and also heard the learned Public Prosecutor representing 1st respondent-State and perused the First Information Report and grounds urged in the quash petition.

In fact, the investigation is at preliminary stage and for this Court there is nothing to interdict the investigation.

Having regard to the above, the Criminal Petition is disposed of without prejudice to any available defences of the petitioner including impugning of whether attracting of the penal provisions. Needless to say if at all any arrest is required, the police shall strictly follow Section 41-A of CrPC, and also the guidelines in Arnesh Kumar Vs. State of Bihar¹, if the offences mentioned are not punishable above 7 years.

Consequently, miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 11.08.2017
vvr

¹ (2014) 8 SCC 273