

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.11035 OF 2017

ORDER:

This criminal petition is filed under Section 482 of Criminal Procedure Code to quash the proceedings in Crime No.344 of 2017 on the file of Sarpavaram PS, East Godavari District.

Learned counsel for the petitioners after arguing for sometime, requested this Court to direct the police to follow the procedure laid down under Section 41-A of Cr.P.C and guidelines formulated by the Apex Court in “**Arnesh Kumar v. State of Bihar and another¹**”.

Acceding to the request of the learned counsel for the petitioners and without touching the merits of the case, I deem it appropriate to direct the police to follow the guidelines prescribed in **Arnesh Kumar** case. It is needless to mention that the Supreme Court made it clear that violation of guidelines in **Arnesh Kumar** case amounts to Contempt of Court action. Therefore, the Investigation Agency is bound to adhere to the guidelines issues in **Arnesh Kumar** case.

With the above directions, the Criminal Petition is disposed of.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE M. SATYANARAYANA MURTHY

Date:22.11.2017
Knl

¹ (2014) 8 SCC 273