THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.10488 OF 2017

ORDER:

This criminal petition is filed under Section 482 of Criminal Procedure Code to quash the proceedings in Crime No.217 of 2017 on the file of Chandragiri Police Station, Tirupati Urban 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 another[1]".***

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 petition is disposed of. No costs.

However, the petitioners are at liberty to renew their request at appropriate stage.

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

JUSTICE M. SATYANARAYANA MURTHY

Date:13.11.2017

SP

[1] (2014) 8 SCC 273