

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.10195 of 2017

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C., by the petitioner/A.3 seeking to quash the proceedings in Crime No.347 of 2017 of Prohibition and Excise Police Station, Patikonda, Kurnool District, registered for the offence punishable under Section 34 (a) & 36 (b) (c) of the A.P. Excise Act, 1968 read with 1, 10 and 12 of A.P. Excise and Licence Conditions Rules 2012 of Prohibition and Excise Station, Pattikonda.

2. After arguing the matter for a while, learned counsel for the petitioner/A.3, sought a direction to be given to the Station House Officer/Investigating Agency to follow the conditions stipulated in Section 41-A of Cr.P.C., and also the judgment of the Hon'ble Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹, before taking any coercive steps against the petitioner.

3. Acceding to the request of learned counsel for the petitioner, the Criminal Petition is disposed of directing the Station House Officer/Investigating Agency to scrupulously follow the conditions stipulated under Section 41-A of Cr.P.C., and also the directions issued by the Apex Court in the judgment referred to above, before taking any coercive steps against the petitioner. Miscellaneous petitions pending, if any, shall stand closed.

M. SATYANARAYANA MURTHY, J

NOVEMBER 03, 2017

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¹ 2014 (2) ALT (Cri.) 457 (SC)

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Date: 03.11.2017

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