

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (MAIN) NO. 134 OF 2018

ALEIXO ARNOLFO PEREIRA, PRESENTLY
IN POLICE CUSTODY, THR. ANTHEA
PEREIRA.,

... Applicant

Versus

THE STATE OF GOA, THR. POLICE
INSPECTOR, VERNA POLICE STATION,
VERNA.,

... Respondent

Shri Ryan Da Piedade Menezes, Advocate for the applicant.
Shri Pravin Faldessai, Additional Public Prosecutor for the
respondent.

Coram:- NUTAN D. SARDESSAI, J.

Date:- 27th April 2018

P.C.

Reply filed.

2. Shri Faldessai, learned Additional Public Prosecutor submits that the application has become infructuous since the applicant had already been enlarged on bail by the learned Children's Court.

3. Shri Ryan Menezes, learned Advocate, however, contends that an important issue still survives on the aspect of the non-compliance with the mandate of Section 41-A of the Code of Criminal Procedure laid down in Arnesh Kumar Vs. State of Bihar and another [(2014)8 SCC 273]. Since the issue is academic and the very purpose of moving application is fulfilled,

nothing survives in the application, which is dismissed. The contentions being purely academic are left open for consideration at an appropriate time.

4. The application stands disposed off accordingly.

NUTAN D. SARDESSAI, J.

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