

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION NO.156 OF 2018

ORDER:

This criminal petition is filed under Section 482 of Criminal Procedure Code to quash the proceedings in Crime No.275 of 2017 on the file of Ongole I Town Police Station, Ongole District.

Learned counsel for the petitioner 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 petitioner 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 issued in **Arnesh Kumar** case.

With the above directions, the petition is disposed of.

Consequently, miscellaneous petitions pending, if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:05.01.2018

SP

¹ (2014) 8 SCC 273