

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1256 of 2018

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioner/accused Nos.1 to 3, seeking to quash the proceedings in Crime No.19 of 2018 on the file of Sullurpet Police Station, SPSR Nellore District, registered for the offences under Sections 341, 323, 506, 354 read with 34 of I.P.C.

2. Heard the learned counsel for the petitioner/accused 1 to 3, learned Assistant Public Prosecutor representing the 1st respondent-State and perused the record.

3. Having argued for some time, the learned counsel for the petitioners/accused Nos.1 to 3 submitted that a direction may be given to the Station House Officer concerned to comply with the provision of Section 41A of Cr.P.C. before arresting the petitioners/accused Nos.1 to 3.

4. The learned Assistant Public Prosecutor conceded the said request stating that the punishment for the alleged offences is imprisonment for seven years and below.

5. Under these circumstances, the Station House Officer, Sullurpet Police Station, SPSR Nellore District, is directed to follow the procedure laid down under Section 41A of Cr.P.C. and adhere to the guidelines formulated by the Apex Court in Arnesh Kumar Vs. State of Bihar¹.

6. With the above direction, this Criminal Petition is disposed of.

¹ (2014) 8 SCC 273

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

Dr.SHAMEEM AKTHER, J

06th February, 2018
Bvv

