

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION NO.1510 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (Cr.P.C.), is filed by the petitioners/accused Nos.1 and 2, seeking to quash the proceedings against them in Crime No.39 of 2018 on the file of the Mailardevpally P.S., Cyberabad District registered for the offences under Sections 432 and 427 of the Indian Penal Code.

2. Heard the learned counsel for the petitioners/accused Nos.1 and 2, learned Assistant Public Prosecutor representing the first respondent-State and perused the record.

3. The allegations in the first information report against the petitioners-accused Nos.1 and 2 are that they have blocked the drainage belonging to the complainant and several complaints were made in this regard.

4. As seen from the allegations, the matter requires investigation with regard to the innocence or otherwise of the petitioners-accused Nos.1 and 2. The offences alleged are punishable with less than seven (7) years of imprisonment.

5. Under these circumstances, the Investigating Officer is directed to invoke the provisions of Section 41-A Cr.P.C. and also

abide by the guidelines laid down by the Apex Court in **Arnesh Kumar v. State of Bihar**¹.

6. With the above direction, this Criminal Petition is disposed of. Miscellaneous petitions, if any, pending shall stand closed.

(DR. SHAMEEM AKTHER, J)

12th February 2018
RRB



¹ (2014)8 SCC 273