

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.1877 of 2018

ORDER:

This Criminal Petition, under Section 482 of Cr.P.C., is filed by the petitioner/accused, seeking to quash the proceedings in Crime No.160 of 2017 on the file of Paderu Police Station, Visakhapatnam District, registered for the offences under Sections 353 & 506 of I.P.C.

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

3. Having argued the matter for some time, the learned counsel for the petitioner/accused 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 petitioner/accused.

4. As seen from the record, there are allegations against the petitioner/accused deterring the public servant from discharging the official duties and certain abuses are also said to have been made. There are no grounds to quash the proceedings. However, in view of the allegations leveled against the petitioner/accused and the material collected, the Station House Officer, Paderu Police Station, Visakhapatnam 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.

5. 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.

19th February, 2018
Bvv

Dr.SHAMEEM AKTHER, J

