

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Criminal Petition No.2485 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.23 of 2018 on the file of Kothavalasa Police Station, Vizianagaram District, registered for the offence under Section 353 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 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. Having regard to the nature of allegations leveled against the petitioner/accused in the First Information Report, dated 25.01.2018, the Station House Officer, Kothavalasa Police Station, Vizianagaram 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.

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

28th February, 2018
Bvv

Dr.SHAMEEM AKTHER, J

¹ (2014) 8 SCC 273