

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No.3064 of 2018

ORDER:

This Criminal Petition, under Section 438 Cr.P.C, is filed by petitioners - accused Nos.1, 2 and 6 in Crime No.85 of 2017 of Balayapalli Police Station, SPSR Nellore District, registered for the offences punishable under Sections 342, 324, 506 r/w 34 PC and 3(1)(r)(s)(z) and 3(2)(va) of the SCs & STs (POA) Amendment Act, 2015 (the Act), seeking pre-arrest bail.

After arguing the matter by the learned counsel for the petitioner for a while, he requested to direct the Station House Officer concerned to follow the procedure under Section 41-A Cr.P.C. as there is a clear bar under Section 18 of the Act to grant pre-arrest bail to the petitioner.

Acceding to the request of the learned counsel for the petitioner, the Station House Officer/Investigating Officer concerned is directed to follow the procedure under Section 41-A Cr.P.C. and also the guidelines laid down in **Arnesh Kumar v. State of Bihar**¹.

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

M.SATYANARAYANA MURTHY,J

Date :28.03.2018
usd

¹ (2014)8 SCC 273

