

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.4375 of 2018

ORDER

This petition is filed under Section 438 of Cr.P.C., to grant pre-arrest bail to the petitioner/A1 apprehending his arrest in Cr.No.27 of 2018 of Mothkur Police Station, Nalgonda District, registered for the offences punishable under Sections 447, 427, 379 read with Sections 511, 420 IPC and under Section 3 of Prevention of Damage to Public Property Act and under Section 21(1) of Mines and Mineral Development and Regulation Act, 1957, on various grounds.

2. Learned counsel for petitioner, after arguing the matter for sometime, requested this Court to direct the police concerned to follow the procedure as prescribed under Section 41-A Cr.P.C and the guidelines laid down by the Apex Court in **Arnesh Kumar v. State of Bihar**¹.

3. Acceding to the request of the counsel for petitioner and since the offences allegedly committed by the petitioner are not punishable with imprisonment for more than 10 years, I deem it appropriate to direct the police concerned to follow the procedure under Section 41-A Cr.P.C., and the guidelines issued by the Apex Court in **Arnesh Kumar's** case, referred supra. It is needless to remind the police that violation of guidelines would lead to contempt of Court.

¹ (2014) 8 SCC 273

4. Accordingly, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTHY, J

19th April, 2018

sj

