

HONOURABLE SRI JUSTICE U.DURGA PRASAD RAO

CRIMINAL PETITION No.4320 OF 2018

ORDER.

This Criminal Petition is filed under Section 482 Cr.P.C by the petitioner/A.2 seeking to quash the proceedings against him in Crime No.169 of 2018 of Uppal Police Station, Rachakonda District, registered for the offences under Sections 427 and 447 of I.P.C.

Heard both sides.

Having regard to the fact that there is a prima facie accusation and investigation is in the nascent stage, this Court is not inclined to quash the proceedings at this stage. Therefore, the investigation shall continue to its logical end. However, having regard to the nature of the offences charged under Sections 427 and 447 of I.P.C., which are punishable with less than seven (7) years, the Investigating Officer shall strictly follow the guidelines rendered by Hon'ble Apex Court in the decision reported in *ARNESH KUMAR VS. STATE OF BIHAR* (¹) and also the procedure contemplated under Section 41-A Cr.P.C. towards the petitioner/A.2 during the course of investigation. In turn, the petitioner/A.2 shall cooperate with the investigating agency for smooth completion of investigation.

Accordingly, this Criminal Petition is disposed of.

As a sequel, miscellaneous applications pending if any, shall stand closed.

JUSTICE U.DURGA PRASAD RAO

Dated 2nd May, 2018.

Dvs

¹ AIR 2014 SC 2756

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