

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.14106 of 2018

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, the only grievance of the writ petitioner is in regard to the inaction of the Police in not following the mandate of law in the provision of Section 41-A of the Code of Criminal Procedure, 1973, and the binding principles in the decision reported in **Arnesh Kumar v. State of Bihar and another**¹ while investigating into the case in Crime No.41 of 2018, registered by the Station House Officer, Narsampet Town Police Station, Warangal Rural District/4th respondent herein, against the petitioner, for the offences punishable under Section 354-A of Indian Penal Code, 1860, and Section 3(2)(Va) of the Schedule Caste and Schedule Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. I have heard the submissions of Sri *K.Lakshmi Manohar*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (Telangana) appearing for the respondents 1 to 4. I have perused the material record.

3. Learned counsel for the petitioner would submit that the petitioner is a Government employee and that the precedential guidelines in **Arnesh Kumar's Case (Supra 1)** are clearly applicable to the case on hand.

¹ (2014) 8 Supreme Court Cases 273

4. Learned Government Pleader for Home submits that the Police Officer would follow the procedure established by law while investigating into the afore-stated crime.

5. Recording the submissions, the Writ Petition is disposed of directing the Station House Officer, Narsampet Town Police Station, Warangal Rural District/4th respondent herein, to follow the statutory mandate in Section 41-A of the Code of Criminal Procedure, 1973, and the precedential guidelines in **Arnesh Kumar's Case (Supra 1)** while investigating into the afore-stated crime. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.



M.SEETHARAMA MURTI, J

Date: 27th April, 2018

Note: Issue C.C. on 30.04.2018.

(B/o.)
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