

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.4962 OF 2018

ORDER:

The petitioners, who are accused in Crime No.450 of 2018 of Rayachoty Police Station, YSR Kadapa, registered for the offence punishable under Section 498-A of the Indian Penal Code, 1860 and Sections 3 and 4 of the Dowry Prohibition Act, 1961, filed the criminal petition under Section 438 of the Code of Criminal Procedure, 1973, to issue a direction to the Station House Officer to release him on bail in the event of his arrest in connection with the above crime.

Learned counsel for the petitioners, after arguing the matter for sometime, requested this Court to direct the police to follow the procedure laid down under Section 41-A Cr.P.C and guidelines laid down by the Apex Court in **Rajesh Sharma v. State of U.P.**¹, before affecting the arrest of the petitioners.

Acceding to the request of the learned counsel for the petitioners, without touching the merits, I find that it is a fit case to issue direction to the police to follow the procedure prescribed under Section 41-A of Cr.P.C and the guidelines laid down by the Apex Court in **Rajesh Sharma** case (referred supra). Accordingly, police concerned are directed to adhere to the guidelines issued in **Rajesh Sharma** case (referred supra).

With the above direction, the criminal petition is disposed of.

M. SATYANARAYANA MURTHY, J

Date: 02.05.2018
BV

¹ 2017 (2) ALT (Cri.) 393 (SC)