

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 5400 OF 2018

ORDER:

This criminal petition is filed under Section 482 of the Code of Criminal Procedure (for short, "Cr.P.C.") to quash the proceedings in FIR No.49 of 2018 of Bommala Ramaram Police Station, Rachakonda Commissionerate, registered for the offences under Sections 343, 323, 354(c), 509 IPC and Section 3 (1)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. Learned counsel for the petitioners, after arguing for sometime, requested this Court to direct the concerned to follow the procedure contemplated under Section 41-A Cr.P.C., and the guidelines issued by the Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹ and the guidelines formulated by the Apex Court in ***Dr. Subhash Kashinath Mahajan Vs. State of Maharashtra***².

3. Acceding to the request of learned counsel for the petitioners, without touching the merits of the case, I find that it is a fit case to issue direction to the police to follow the procedure contemplated under Section 41-A Cr.P.C., and the guidelines issued by the Apex Court in ***Arnesh Kumar's*** case referred supra and the guidelines formulated by the Apex Court in ***Dr. Subhash Kashinath Mahajan's*** referred supra. Accordingly, the police concerned are directed to adhere to the guidelines issued by the Apex Court in ***Arnesh Kumar's case and Dr. Subhash Kashinath Mahajan's case***, referred supra.

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

Pending miscellaneous petitions, if any, in this criminal petition shall stand closed in consequence.

29-06-2018.

kvrn

M.SATYANARAYANA MURTHY, J.

¹ 2014(8) SCC 273

² 2018 Law Suit (SC) 233