

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5486 of 2018

ORDER:

1 This criminal petition is filed, by the petitioners/accused Nos.1 to 3, under Section 438 Cr.P.C., seeking anticipatory bail in Cr.No.63 of 2018 on the file of the Station House Officer, Martur Police Station, Prakasam District, for the offences under Sections 420, 406 r/w 34 I.P.C. and Section 21 of the Mines and Minerals (Development and Regulation) Act, 1957.

2 At the time of arguments, the only relief sought by the learned counsel for the petitioners is to direct the Station House Officer, Martur Police Station, Prakasam District, to follow the procedure as contemplated under Section 41 A Cr.P.C.

3 In view of the submission made by the learned counsel for the petitioners, this Court is not inclined to go into the merits of the main case.

4 Having regard to the facts and circumstances of the case and also the principle enunciated in **Arnesh Kumar Vs. State of Bihar**¹, the Station House Officer, Martur Police Station, Prakasam District, is hereby directed to follow the procedure as contemplated under Section 41 A Cr.P.C. in Crime No.63 of 2018 so far as the petitioners/accused Nos.1 to 3 are concerned.

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

T.SUNIL CHOWDARY, J

Date: 10.05.2018
va/kdl

¹ (2014) 8 SCC 273