

THE HON'BLE SRI JUSTICE T.SUNIL CHOWDARY

CRIMINAL PETITION No.5468 of 2018

ORDER:

1 This criminal petition is filed, by the petitioner - A.1, under Section 438 Cr.P.C., seeking anticipatory bail in Cr.No.10 of 2018 on the file of the Station House Officer, Chirala II Town Police Station, Prakasam District.

2 At the time of arguments, the only relief sought by the learned counsel for the petitioner is to direct the Station House Officer, Chirala II Town 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 petitioner, 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 v. State of Bihar**¹, the Station House Officer, Chirala II Town Police Station is hereby directed to follow the procedure contemplated under Section 41-A Cr.P.C in Cr.No.10 of 2018 in so far as petitioner – accused No.1 is concerned.

5 With the above observation, this Criminal Petition is disposed of.

T.SUNIL CHOWDARY, J

Date: 10th May, 2018

usd

¹ (2014) 8 SCC 273