

HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO

CRIMINAL PETITION No.6545 of 2018

ORDER :

The petitioner is A.1 of Crime No.97 of 2018 of Maheshwaram Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 417 and 420 IPC, in relation to a money transaction with reference to the contract for sale of the so-called 49 plots, admeasuring 8900 sq. yards in Sy.No.140 of Manasanpally Village of Maheshwaram Mandal.

2. Heard learned counsel for the petitioner, who is seeking anticipatory bail, and learned Public Prosecutor, representing the State, opposed the same. Perused the bail application averments, First Information Report and the case diary.

3. A perusal of the record no way entitles to the concession of anticipatory bail, but for if at regular bail, and however, for none of the offences are punishable above seven years, the police are strictly bound to follow Section 41-A Cr.P.C. and the guidelines of the Apex Court in **Arnesh Kumar v. State of Bihar**¹, in the event of any requirement of arrest.

4. Having regard to the above, the criminal petition is disposed of directing the police strictly follow Section 41-A Cr.P.C. and the guidelines of the Apex Court in Arnesh Kumar's case supra.

¹ (2014) 8 SCC 273

Miscellaneous petitions pending, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

11th July 2018.

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