

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.6552 OF 2018

ORDER:

This criminal petition is filed under Section 482 of the Code of Criminal procedure, 1973 (for short 'Cr.P.C') to quash the proceedings in F.I.R. No.44 of 2018 of Neradigonda Police Station, Adilabad District, registered against the petitioners and other accused for the offence punishable under Sections 379, 506 read with 34, 411 of the Indian Penal Code, 1860 (for short 'I.P.C.') and Sections 20, 29 of A.P. Forest Act and Section 3(1)(2) of PDPP Act, on various grounds.

The learned counsel for the petitioners, though raised several contentions, after arguing the matter for a while, requested this Court to issue a direction to the police to follow the procedure under Section 41-A Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR v. STATE OF BIHAR**¹, before affecting the arrest of the petitioners.

In view of the request made by the counsel for the petitioners, without touching the merits of the case, I find that it is a fit case to issue a direction to the Station House Officer, Neradigonda Police Station, Adilabad District, to follow the procedure under Section 41-A Cr.P.C. and the guidelines laid down by the Apex Court in **ARNESH KUMAR** case (referred supra), before affecting the arrest of the petitioners.

¹ 2014(5) Supreme 324

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With the above direction, the criminal petition is disposed of at the stage of admission.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M. SATYANARAYANA MURTHY, J

Date:25.06.2018
BV

