

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 7911 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 Crime No.455 of 2017 of Peddapalli Police Station, Peddapalli District, registered for the offences under Sections 448 and 323 read with 34 IPC and Section 3 (1) (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amendment Act, 2015), against the petitioners/A.1 and A.2.

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 a 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' case (referred supra)***. Accordingly, the

¹ 2014(8) SCALE 250

² 2018 LS(SC) 233

police concerned are directed to adhere to the guidelines issued in ***Arnesh Kumar's case and Dr. Subhash Kashinath's case.***

4. With the above direction, the Criminal Petition is disposed of. Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

M.SATYANARAYANA MURTHY, J

JULY 27, 2018

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Dt.27.07.2018

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