

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO.27458 OF 2018

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, to quash the proceedings in Crime No 149 of 2018 on the file of Thullur Polcie Station, Guntur District.

Learned counsel for the petitioner after arguing for sometime, requested this Court to direct the police to follow the procedure laid down under Section 41-A of Cr.P.C and guidelines formulated by the Apex Court in “**Arnesh Kumar v. State of Bihar and another¹**”.

Acceding to the request of the learned counsel for the petitioner and without touching the merits of the case, I deem it appropriate to direct the police to follow the guidelines prescribed in **Arnesh Kumar** case. It is needless to mention that the Supreme Court made it clear that violation of guidelines in **Arnesh Kumar** case amounts to Contempt of Court action. Therefore, the Investigation Agency is bound to adhere to the guidelines issued in **Arnesh Kumar** case.

With the above directions, the petition is disposed of.

Consequently, miscellaneous petitions pending, if any, shall also stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:20.08.2018

Note: Issue C.C. today

b/o
SP

¹ (2014) 8 SCC 273