

HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

W.P. No.31928 OF 2018

ORDER:

Based on the complaint of the 4th respondent, case in Crime No.83 of 2018 was registered against the petitioner for the offences punishable under Sections 420, 468 and 471 IPC, on the file of Besthavaripeta Police Station, Prakasam District, Andhra Pradesh.

The grievance of the petitioner is that without following the procedure under Section 41-A of Cr.P.C., the police authorities are threatening to arrest him.

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Home.

Having regard to the facts and circumstance of the case and the submissions of learned counsel for the petitioner, the writ petition is disposed of directing the 3rd respondent – Station House Officer, Besthavaripeta Police Station, Prakasam District, to follow the procedure under Section 41-A of Cr.P.C. and the guidelines laid down by Apex Court in ***ARNESH KUMAR vs. STATE OF BIHAR***¹ and take action in accordance with law.

Pending miscellaneous petitions in the petition, if any, shall stand closed.

M.SATYANARAYANA MURTHY,J

19.09.2018
kvrn

¹ 2014(2) ALT (CrI.) 457 (SC)