

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.9436 OF 2018

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Code') to quash the Crime/F.I.R.No.641 of 2018 on the file of the Madhapur Police Station, Cyberabad.

Learned counsel for the petitioner after arguing for sometime, requested this Court to direct the police to follow the procedure inlaid in Section 41-A of the Code and guidelines formulated by the Apex Court in "*Arnesh Kumar v. State of Bihar*¹".

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 procedure inlaid in Section 41-A of the Code and guidelines prescribed in "*Arnesh Kumar v. State of Bihar*" (referred supra). It is needless to mention that the Hon'ble Supreme Court made it clear that violation of guidelines in "*Arnesh Kumar v. State of Bihar*" (referred supra) amounts to Contempt of Court action. Therefore, the Investigation Agency is bound to adhere to the guidelines formulated by the Apex Court in "*Arnesh Kumar v. State of Bihar*" (referred supra).

¹ (2014) 8 SCC 273

With the above directions, the present Criminal Petition is disposed of. No order as to costs.

Consequently, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE M. SATYANARAYANA MURTHY

September 06, 2018
Mgr

