

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Crl.P.No.9491 of 2018

ORDER

This petition is filed under Section 482 Cr.P.C., to quash the proceedings in Crime No.19 of 2018 of Shanthinagar Police Station, Jogulamba Gadwal District, registered for the offences punishable under Sections 324, 323 read with 34 IPC, against the petitioners, on various grounds.

2. As per the allegations made in the complaint does not disclose *prima facie* the commission of offence punishable under Section 326 IPC though the injuries are grievance in nature and the Inspector of police filed memo to that regard. Therefore, the offences at best allegedly committed are punishable under Sections 323 and 324 IPC and not under Section 326 IPC.

3. Learned counsel for petitioners, after arguing the matter for sometime, requested this Court to direct the police concerned to follow the procedure under Section 41-A Cr.P.C.

4. Acceding to the request of the counsel for petitioners, without touching the merits of the matter, the Criminal Petition is disposed of directing the police concerned to follow the procedure under Section 41-A Cr.P.C. and the guidelines issued by the Apex Court in **Arnesh Kumar v. State of Bihar**¹.

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

M. SATYANARAYANA MURTHY, J

06.09.2018

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¹ (2014) 8 SCC 273