

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

CRIMINAL PETITION No.10306 OF 2018

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Code'), is filed by the petitioner - accused No.2 viz., Smt. Ravula Srilatha, to quash the proceedings against her in Crime No.34 of 2018 dated 26.02.2018 on the file of Central Crime Station, Hyderabad, Telangana, registered for the offences punishable under Sections 406, 420, 467, 468 and 471 read with Section 34 of Indian Penal Code, 1860.

2. 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 and **Dr. Subhash Kashinath Mahajan v. The State of Maharashtra**².

3. 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 the guidelines prescribed in **Arnesh Kumar**¹. It is needless to mention that the Hon'ble Supreme Court made it clear that violation of guidelines prescribed in **Arnesh Kumar**¹ amounts to Contempt of Court action. Therefore, the Investigating

¹ (2014) 8 SCC 273

². (2018) 6 SCC 454

Agency is bound to adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar¹** and **Dr. Subhash Kashinath Mahajan²**.

4. With the above directions, the present Criminal Petition is disposed of at the stage of admission itself.

Consequently, Miscellaneous Petitions, if any, pending in the present Criminal Petition, stand closed.

M. SATYANARAYANA MURTHY, J

October 1, 2018
Mgr

