

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 10735 OF 2018

ORDER:

This criminal petition is filed under Section 482 of the Code of Criminal Procedure (for short, "Cr.P.C.") to quash the proceedings in Cr.No. 312 of 2018 of Alipiri Police Station, Tirupathi Urban District, registered for the offences punishable under Sections 498-A IPC, Sections 3 and 4 of DP Act and Sections 3 (1) (s), 3 (1) (r) (s) of SCs and STs (POA) Act.

2. Learned counsel for the petitioner, after arguing for sometime, requested this Court to direct the concerned to follow the procedure contemplated under Section 41-A Cr.P.C., and the guidelines issued by the Apex Court in *Arnesh Kumar v. State of Bihar and another*¹ and the guidelines formulated by the Apex Court in *Dr. Subhash Kashinath Mahajan Vs. State of Maharashtra*².

3. Acceding to the request of learned counsel for the petitioner, without touching the merits of the case, I find that it is a fit case to issue direction to the police to follow the procedure contemplated under Section 41-A Cr.P.C., and the guidelines issued by the Apex Court in *Arnesh Kumar v. State of Bihar and another* and the guidelines formulated by the Apex Court in *Dr. Subhash Kashinath Mahajan Vs. State of*

¹ 2014(8) SCALE 250

² 2018 LS(SC) 233

Maharashtra.. Accordingly, the police concerned are directed to adhere to the guidelines issued in Armesh Kumar v. State of Bihar and another and Dr. Subhash Kashinath Mahajan (referred supra).

4. With the above direction, the criminal petition is disposed of. Pending miscellaneous petitions, if any, in this criminal petition shall stand closed in consequence.

Date: 08-10-2018.
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M.SATYANARAYANA MURTHY, J.



HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY



Crl.P.No.10735 of 2018

Dt. 08-10-2018

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