

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

CRIMINAL PETITION No. 10732 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 FIR No. 124 of 2018 of Yelamanchili P.S, West Godavari District, registered for the offences under Sections 506 IPC and Section 3 (1) (r), 3 (1) (s), 3 (2) (va) of SC and ST(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 Maharashtra*.. Accordingly, the police concerned are directed to adhere

¹ 2014(8) SCALE 250

² 2018 LS(SC) 233

to the guidelines issued in *Arnesh 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.

M.SATYANARAYANA MURTHY, J.

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Crl.P.No.10732 of 2018

Dt. 08-10-2018

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