

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.44710 of 2018

ORDER:

When the matter is taken up, learned counsel for the petitioner submits that no attempt was made to serve notice on the petitioner under Section 41-A of Cr.P.C and that if they were really intended to serve notice on the petitioner, they could have done so by registered post.

It is further submitted by the learned counsel for the petitioner on instructions from the petitioner, who is physically present in the Court that the petitioner herein will appear before the police on 20.12.2018 and on such appearance, the respondent police authorities shall serve notice under Section 41-A of Cr.P.C.

On the other hand, on instructions, it is submitted by the learned Government Pleader (Home) that despite best efforts, they could not serve notice under Section 41-A of Cr.P.C on the petitioner. He further submits that after issuing notice under Section 41-A of Cr.P.C on the petitioner herein, granting time as per law, further action will be taken.

Recording the said submission, the writ petition is disposed of directing the police authorities to serve notice under Section 41-A of Cr.P.C on 20.12.2018 i.e. the day on which the petitioner appears before the police and proceed further strictly in accordance with law. There shall be no order as to costs.

Miscellaneous petitions, pending consideration, if any, in this Writ Petition, shall stand closed.

A.V.SESHA SAI,J

Date:11.12.2018

Note:

**CC by tomorrow
(B/o) dv**

