

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.499 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.'), is filed by the petitioners/accused Nos.2 to 4 seeking to quash the proceedings in Crime No.239 of 2018 of Mudigonda Police Station, Khammam District.

2. Heard learned counsel for the petitioners/accused Nos.2 to 4 and the learned Additional Public Prosecutor representing the respondent/State. Perused the record.

3. As per the Remand Case Diary of accused No.1, accusation under Section 294(b) I.P.C. is made out against the petitioners/accused Nos.2 to 4. The punishment prescribed for the said offence is imprisonment of either description for a term which may extend to three months, or with fine, or with both.

4. Having regard to the accusation levelled against the petitioners/accused Nos.2 to 4, the Station House Officer, Mudigonda Police Station, Khammam District, is directed to invoke the provisions of Section 41-A Cr.P.C., in terms of the decision rendered in *Arnesh Kumar v. State of Bihar and another*¹, against the petitioners/accused Nos.2 to 4, while investigating into the subject crime.

¹ 2014 (2) ALT (CrI.) 457 SC

5. With the above direction, the Criminal Petition is disposed of.

Miscellaneous Petitions, if any, pending in this Criminal Petition shall stand closed.

Dr. SHAMEEM AKTHER, J

March 18, 2019.

Note: Issue C.C. in two (2) days.
MD



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