

**HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO**

CRIMINAL PETITION No. 8 4 5 of 2019

ORDER :

Impugning the First Information Report in Crime No. 19 of 2019 registered by the Sub-Inspector of Police, Aswaraopet Police Station, Bhadradri Kothagudem district, for the offences punishable under section 379, 506 IPC and section 66-B of I.T.A. Act [for brevity 'the Act'], on the report of the second respondent-defacto complainant, the petitioners herein, who are A-1 and A-2 in the above crime have filed the present quash petition.

2. Heard learned counsel for the petitioners and learned Public Prosecutor, representing the first respondent-State in opposing the same, before ordering notice to the second respondent-defacto complainant and before admission. Perused the First Information Report and quash petition averments.

3. A perusal of the First Information Report and quash petition averments no way entitles this Court to quash the proceedings or admit by keeping the matter pending, but for to say for none of the offences are punishable above seven years, the police shall strictly follow Section 41-A Cr.P.C., and also the guidelines as held by the Hon'ble Apex Court in *Arnesi Kumar Vs. State of Bihar*.<sup>1</sup>

---

<sup>1</sup> (2014) 8 SCC 273

4. Accordingly and in the result, the criminal petition is disposed of without prejudice to any future defence of the petitioners herein, who are A-1 and A-2 in the above crime.

5. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

---

*Dr. JUSTICE B. SIVA SANKARA RAO, J.*

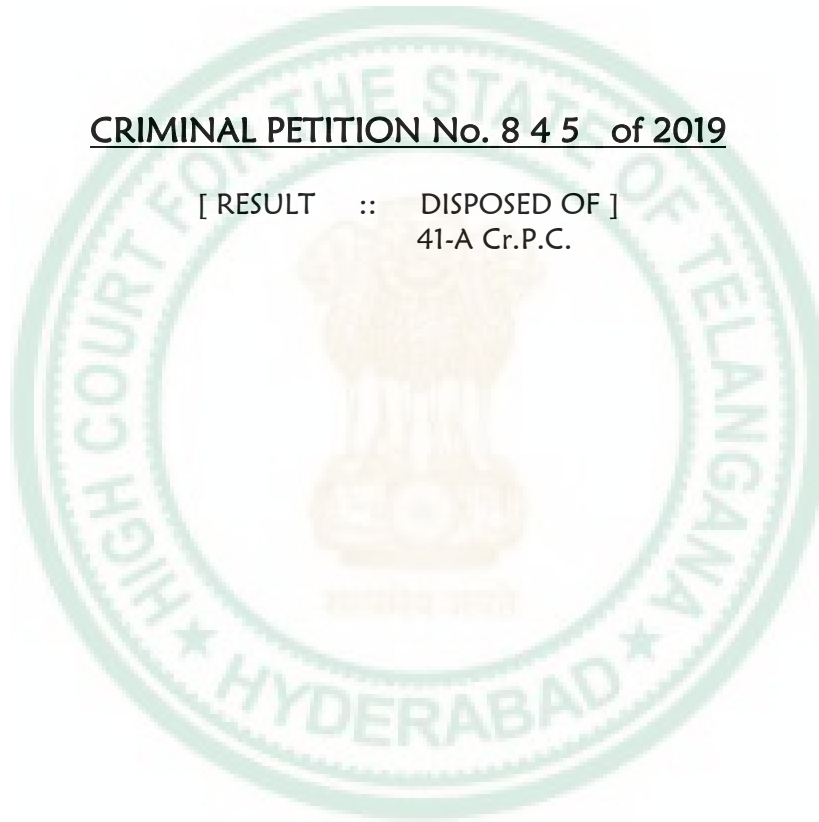


14/02/2019  
I s L

**HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO**

CRIMINAL PETITION No. 8 4 5 of 2019

[ RESULT :: DISPOSED OF ]  
41-A Cr.P.C.



Circulation No:  
Date : 14-02-2019  
Court Master : I s L