

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CRIMINAL PETITION No.1220 OF 2019

ORDER:

This Criminal Petition, under Section 482 of the Code Criminal Procedure, 1973 (for short, 'Cr.P.C') is filed by the petitioners/A.1 to A.4 seeking to quash the proceedings in Crime No.35 of 2019 of Kamapalli Police Station, Khammam District, registered for the offences punishable under Sections 294-B, 341, 353 and 506 read with 34 IPC.

2. Heard learned counsel for the petitioners/A.1 to A.4 and the learned Additional Public Prosecutor appearing for the 1st respondent-State. Perused the record.

3. The allegations in the complaint are that the petitioners/A.1 to A.4 alleged to have deterred respondent No.2 from discharging her duties and used some abusive language, which is punishable under Sections 353 and 506 IPC. The punishment prescribed for the said offences shall be with imprisonment of either description for a term which may extend to two years, or with fine, or with both. The punishment prescribed for other offences is lesser.

4. Learned counsel for the petitioners/A.1 to A.4 as well as learned Additional Public Prosecutor appearing for the 1st respondent-State would submit that a direction may be given to the investigating agency to follow the Judgment of the Apex

Court in *Arnesh Kumar v. State of Bihar and another*¹ while investigating into the subject crime.

5. In view of nature of allegations and on going investigation, the Station House Officer, Kamepalli Police Station, Khammam District, is directed to comply with the provisions of Section 41-A Cr.P.C. while investigating into the subject crime.

6. With these observations and directions, the Criminal Petition is disposed of.

Miscellaneous Petitions, if any, pending in this criminal petition shall stand closed.

MARCH 05, 2019
YVL

Dr. SHAMEEM AKTHER, J

¹ 2014 (2) ALT (CrI.) 457 SC

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Date:05.03.2019

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