

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 2446 of 2019

ORDER:

1. This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Crime No.230 of 2018 of Prohibition and Excise Station, Musheerabad, registered against the petitioner/ A.2 for the offence punishable under Rule 27(1) of T.S. Excise Toddy Rules, 2007.

2. Though the learned counsel for the petitioner/ A.2 filed the present petition to quash the proceedings in Crime No.230 of 2018, he restricts his prayer seeking a direction to the Investigating agency to follow the procedure prescribed under Section 41-A Cr.P.C. and the guidelines prescribed by the Apex Court in *Arnesh Kumar v. State of Bihar and another*¹.

3. Learned Additional Public Prosecutor would submit that the directions of the Apex Court have to be followed and implemented.

4. In that view of the matter, the Criminal Petition is disposed of directing the police concerned to follow the provisions under Section 41-A Cr.P.C. and abide by the directions of the Apex Court as set out in *Arnesh Kumar case's case* (supra).

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

JUSTICE G. SRI DEVI

06.06.2019
ssp

¹ AIR 2014 SC 2756,