

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.3048 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioners/accused Nos.1 and 2 seeking to quash the proceedings in Crime No.109 of 2019 of Narsapur Police Station, Medak District, registered for the offence punishable under Section 420 I.P.C and Section 80 of the Juvenile Justice Act, 2015.

2. Heard the learned counsel for the petitioners/accused Nos.1 and 2 and the learned Additional Public Prosecutor representing the 1st respondent-State and perused the record.

3. Though the learned counsel for the petitioners/accused Nos.1 and 2 filed the present Criminal Petition for quashing the proceedings in the aforesaid crime, he restricts his prayer seeking a direction to the investigating agency to follow the procedure prescribed under Section 41-A Cr.P.C. and to follow the guidelines prescribed by the Apex Court in **Arnesh Kumar v. State of Bihar and another**¹.

4. The learned Additional Public Prosecutor conceded the said request stating that the punishment for the alleged offences is imprisonment for seven years and below.

5. Under these circumstances, the Station House Officer, Narsapur Police Station, Medak District, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioners/accused Nos.1 and 2 and strictly adhere to the guidelines

¹ AIR 2014 SC 2756

formulated by the Apex Court in **Arnesh Kumar v. State of Bihar**'s case *supra*.

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

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

JUNE 19, 2019

JUSTICE G.SRI DEVI

YVL



THE HON'BLE JUSTICE G.SRI DEVI



CRIMINAL PETITION No.3048 of 2019

Date:19.06.2019

YVL