

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.3095 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/accused No.1 seeking to quash the proceedings in Crime No.141 of 2019 of Town-III Nizamabad Police Station, Nizamabad District, registered for the offences punishable under Sections 420 and 506 read with 34 I.P.C.

2. Heard the learned counsel for the petitioner/accused No.1 and the learned Additional Public Prosecutor representing the 1st respondent-State and perused the record.

3. Though the learned counsel for the petitioner/accused No.1 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, Town-III Nizamabad Police Station, Nizamabad District, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/accused No.1 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar v. State of Bihar**'s case *supra*.

¹ AIR 2014 SC 2756

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

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

JUSTICE G.SRI DEVI

JUNE 19, 2019

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Date:19.06.2019

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