

THE HON'BLE JUSTICE G.SRI DEVI

Criminal Petition No.3276 of 2019

ORDER:

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.2 and A.3, seeking to quash the proceedings in crime No.384 of 2019 of Medipally Police Station, Rachakonda, registered for the offence punishable under Section 506 read with 109 of IPC.

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

3. Though the Criminal Petition is filed for quashing the further proceedings in crime No.384 of 2019 of Medipally Police Station, during the course of arguments, learned counsel for the petitioners restricts his prayer and seeks a direction to the investigating agency to follow the procedure prescribed under Section 41A of 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 also fairly concedes the request of the learned counsel for the petitioners.

5. Under these circumstances, the Station House Officer, Medipally Police Station, Rachakonda, is directed to follow the procedure laid down under Section 41A of Cr.P.C. before arresting the petitioners/A.2 and A.3 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar** *supra*.

¹ AIR 2014 SC 2756

6. Accordingly, the Criminal Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order.

26th June, 2019
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JUSTICE G.SRI DEVI

