

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.3360 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/Accused No.6 seeking to quash the proceedings in Crime No.RC07(a)/2009 of C.B.I/A.C.B, Hyderabad, registered for the offence punishable under Section 13 (2) read with 13 (1) (d), 13 (2) read with 13 (1) (a) of the Prevention of Corruption Act, 1988 (as amended in 2018) and Sections 120-B read with 409, 420, 465, 467, 468, 471 and 477-A I.P.C.

2. Heard the learned counsel for the petitioner/Accused No.6, the learned Special Public Prosecutor appearing for the 1st respondent-CBI, Hyderabad, and perused the record.

3. Though the learned counsel for the petitioner/Accused No.6 filed the petition for quashing the investigation 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 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 punishment for seven years and below seven years.

¹ AIR 2014 SC 2756

5. Under these circumstances, the Station House Officer, C.B.I/A.C.B, Hyderabad, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/Accused No.6 only and strictly adhere to the guidelines formulated by the Apex Court in ***Arnesh Kumar case (supra)***. No coercive steps shall be taken against the petitioner/accused No.6 till filing of the final report.

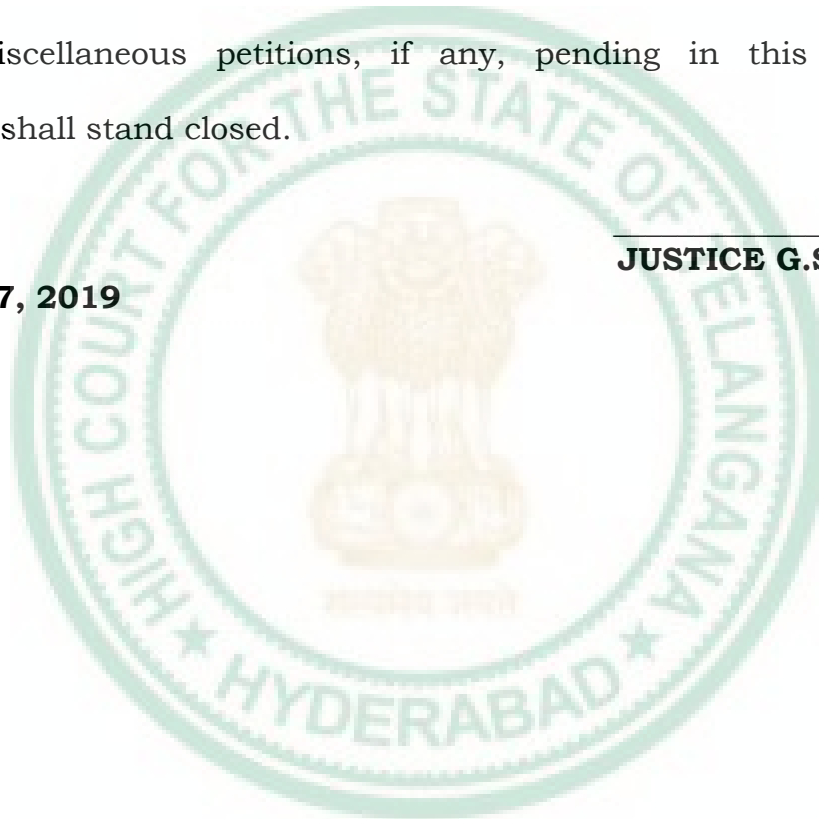
6. With the above direction, the Criminal Petition is disposed of.

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

JUNE 27, 2019

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Date:27.06.2019

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