

**THE HON'BLE JUSTICE G.SRI DEVI**

**CRIMINAL PETITION No.3514 of 2019**

**ORDER:**

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/Accused seeking to quash the proceedings in Crime No.106 of 2019 of Suryapet Town Police Station, Suryapet District, registered for the offence punishable under Section 506 I.P.C and Section 3 (2) (Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 2015.

2. Heard the learned counsel for the petitioner/Accused, the learned Additional Public Prosecutor representing the 1<sup>st</sup> respondent-State and perused the record.

3. Though the learned counsel for the petitioner/Accused filed the present 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**<sup>1</sup>.

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 seven years.

5. Under these circumstances, the Station House Officer, Suryapet Town Police Station, Suryapet District, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/Accused and strictly adhere to the guidelines formulated by the Apex Court in *Arnesh Kumar case (supra)*.

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<sup>1</sup> AIR 2014 SC 2756

However, no coercive steps shall be taken against the petitioner/accused 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.

**JUSTICE G.SRI DEVI**

**JULY 03, 2019**

**YVL**



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**Date:03.07.2019**

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