

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

**Criminal Petition No.3871 of 2019**

**ORDER:**

This Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed by the petitioners/A.1 and A.2 seeking to quash the proceedings in crime No.80 of 2019 of Boinpalli Police Station, Rajanna Siricilla District, registered for the offence punishable under Sections 447, 427, 290 and 506 read with 34 IPC.

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

3. Though the Criminal Petition is filed for quashing the further proceedings in above referred crime, 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 strictly 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 also fairly concedes the request of the learned counsel for the petitioners.

5. Under these circumstances, the Station House Officer, Boinpalli Police Station, Rajanna Siricilla District, 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*.

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

Further, no coercive steps shall be taken against the petitioners till filing of the final report.

6. Accordingly, the Criminal Petition is disposed of.

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

11<sup>th</sup> July, 2019  
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**JUSTICE G.SRI DEVI**

