

HONOURABLE JUSTICE G. SRI DEVI

WRIT PETITION No. 15479 of 2019

ORDER:

1. This Writ Petition is filed by the petitioners/ A.1 and A.2, in Crime No.223 of 2019 of Choutuppal Police State, Pachakonda Commissionerate, registered for the offence punishable under Section 420 of IPC, seeking to issue a writ order or direction more particularly one in the nature of Writ of Mandamus by declaring the action of the 3rd respondent in harassing the petitioners without following due process of law particularly under Section 41-A of Cr.P.C. and Judgment of the Apex Court passed in *Arnesh Kumar v. State of Bihar and another*¹, as illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India.

2. Heard the learned counsel for the petitioners/ A.1 and A.2 and the learned Additional Public Prosecutor representing the respondent/ State. Perused the record.

3. In view of the innocuous prayer of the petitioners, the Writ Petition is disposed of directing the police concerned to follow the provisions under Section 41-A Cr.P.C. and abide by the directions of the Apex Court as set out in *Arnesh Kumar's case* (supra). However, no coercive steps shall be taken against the petitioners.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE G. SRI DEVI

24.07.2019

ssp

¹ AIR 2014 SC 2756