

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.4769 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/Accused No.4 seeking to quash the proceedings against him in Crime No.120 of 2019 of Echoda Police Station, Adilabad District, registered for the offence punishable under Section 379 I.P.C and Section 3 (1) (2) of the Prevention of Damage to Public Property Act 1984, and Sections 20 of 29 of the Telangana Forest Act.

2. Heard the learned counsel for the petitioner/Accused No.4, the learned Additional Public Prosecutor representing the 1st respondent-State and perused the record.

3. Though the learned counsel for the petitioner/Accused No.4 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**¹.

4. The learned Additional Public Prosecutor conceded the said request.

5. Under these circumstances, the Station House Officer, Echoda Police Station, Adilabad District, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/Accused No.4 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**.

¹ AIR 2014 SC 2756

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

AUGUST 19, 2019

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Date:19.08.2019

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