

HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION No. 4905 of 2019

ORDER:

1. This Criminal Petition is filed under Section 482 Cr.P.C. seeking quashing of investigation in Crime No.115 of 2019 of Charminar Police Station, Hyderabad, registered against the petitioner for an offence punishable under Section 420 IPC.

2. At the time when the matter is taken up for hearing, learned counsel for the petitioner submits that while disposing of the bail application filed by the petitioner, the learned Magistrate directed the investigating agency to issue 41-A notice to the petitioner by providing one week time to the petitioner to file his explanation. The grievance of the petitioner is that though the direction was issued on 05.07.2019 till date no notice has been issued by the investigating agency.

3. Learned Additional Public Prosecutor would submit that the Investigating agency has to follow the procedure prescribed under Section 41-A Cr.P.C. and the guidelines prescribed by the Apex Court in *Arnesh Kumar v. State of Bihar and another*¹.

4. In that view of the matter, the Criminal Petition is disposed of directing the police to abide by the directions of the Apex Court as set out in *Arnesh Kumar case (supra)*. No coercive steps shall be taken against the petitioner till filing of the final report.

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

JUSTICE G. SRI DEVI

22.08.2019
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¹ AIR 2014 SC 2756,

