

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.4915 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioners/Accused Nos.1 to 5 seeking to quash the docket order, dated 11.07.2019, in Sr.No.2444 of 2019 in Crime No.256 of 2019 passed by the learned IX Additional Chief Metropolitan Magistrate, Nampally, Hyderabad.

2. Heard the learned counsel for the petitioners/Accused Nso.1 to 5, the learned Additional Public Prosecutor representing the 1st respondent-State and perused the record.

3. Though the learned counsel for the petitioners/Accused Nos.1 to 5 filed the present petition for quashing the docket order, dated 11.07.2019, 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, Chikkadapally Police Station, Hyderabad, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioners/Accused Nos.1 to 5 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**. However, no coercive steps shall be taken against the petitioners/accused Nos.1 to 5 till filing of the final report.

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 20, 2019

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Date:20.08.2019

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