

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5089 OF 2019

ORDER:

This Criminal Petition under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') is filed by the petitioners - accused Nos.1 to 5 viz., Pasupuleti Gokul Kumar, Pasupuleti Janardhan Rao, Pasupuleti Rama Devi, Pasupuleti Rahul Kumar and Pasupuleti Ujwal Kumar respectively, seeking to quash the proceedings against them in Crime No.185 of 2019 dated 27.07.2019 of Mahabubabad TN Police Station, Mahabubabad District, Telangana, registered for the offences punishable under Sections 447 and 427 of the Indian Penal Code, 1860.

2. Heard Sri A. Prabhakar Rao, learned counsel for the petitioners, and learned Additional Public Prosecutor appearing for the State, and perused the material on record.

3. Though the learned counsel for the petitioner filed the present petition for quashing the aforesaid proceedings against the petitioners, he restricted the prayer seeking a direction to the Investigating agency to follow the procedure prescribed under Section 41-A of Cr.P.C. and the guidelines prescribed by the Apex Court in **Arnesh Kumar v. State of Bihar**¹.

4. Learned Additional Public Prosecutor would submit that the directions of the Apex Court have to be followed and implemented.

¹ AIR 2014 SC 2756,

5. 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's** case (Supra). No coercive steps shall be taken against the petitioners till filing of final report.

As a sequel thereto, Miscellaneous Petitions, if any, pending in the criminal petition stand closed.

JUSTICE G. SRI DEVI

August 26, 2019.

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