

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5158 of 2019

ORDER :

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Crime No.280 of 2017 on the file of the SHO, III Town Police Station, Kothagudem, Bhadradi Kothagudem District, registered against the petitioners/A1 to A4 for the offence punishable under Section 353 IPC.

2. Though learned counsel for the petitioners/A1 to A4 filed the present petition for quashing of proceedings in the above 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 the guidelines prescribed by the Apex Court in **ARNESH KUMAR V STATE OF BIHAR AND ANOTHER¹**. At this stage, the learned Public Prosecutor would submit that notice under Section 41-A Cr.P.C. has already been issued to the petitioners.

3. Since the petitioners have already been issued notice under Section 41-A Cr.P.C., the petitioners are directed to comply with the said notice as per 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/A1 to A4 till filing of the final report.

4. Accordingly, the Criminal Petition is disposed of. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G.SRI DEVI

DATED: 27.08.2019.

Hsd

¹ AIR 2014 SC 2756



