

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.5284 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.2 and 3 viz., Vanamala Suresh and Cintha Praveen respectively, seeking to quash the proceedings against them in Crime No.102 of 2019 dated 29.07.2019 of Nellikudur Police Station, Mahabubabad District, registered for the offences punishable under Sections 420 of the Indian Penal Code, 1860, and Section 7(a) of the Essential Commodities Act, 1955.

2. Heard Ms. K. Hemalatha, learned counsel for the petitioner, and learned Additional Public Prosecutor appearing for the State, and perused the material on record.

3. Though the learned counsel for the petitioners filed the present petition for quashing the aforesaid proceedings against the petitioners, she 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 28, 2019.

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