

THE HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No. 5989 of 2019

ORDER:

This Criminal Petition is filed under Section 482 Cr.P.C. seeking quashing of investigation in Crime No.159 of 2019 of Aswaraopet Police Station, Kothagudem, registered against the petitioner/accused No.1 and others for the offences punishable under Sections 447 and 427 I.P.C.

2. Though the learned counsel for the petitioner filed the present petition for quashing of investigation 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 another***¹. At this stage, the learned Additional Public Prosecutor would submit that notice under Section 41-A Cr.P.C. has already been issued to the petitioner.

3. Since the petitioner has already been issued notice under Section 41-A IPC, the petitioner is directed to comply with the said notice as per the directions of the Apex Court as set out in ***Arnesh Kumar case (supra)***. However, no coercive steps shall be taken against the petitioner till filing of the final report.

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

JUSTICE G. SRI DEVI

23rd September, 2019

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¹ AIR 2014 SC 2756,

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Date:23.09.2019

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