

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6148 of 2019

ORDER :

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Crime No.73 of 2019 on the file of the SHO, E-Bayyaram Police Station, Bhadrachalam Kothagudem District, registered against the petitioners/A1 to A3 for the offences punishable under Sections 3 (iv) (v) and (ix) and 3 (2) (vii) r/w 10 of Scheduled Caste and Scheduled Tribes (POA) Act, 1989 and 166 and 167 IPC r/w 6-A of the A.P. Scheduled Areas land Transfer Regulation 1959 and 166 and 167 IPC.

2. Though learned counsel for the petitioners 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**.

3. The learned Additional Public Prosecutor would submit that the directions of the Apex Court have to be followed and implemented.

4. In that view of the matter, this Criminal Petition is disposed of directing the police to abide by the directions

¹ AIR 2014 SC 2756

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 A3. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G.SRI DEVI

DATED: 26.09.2019.

Hsd



