

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.6171 of 2019

ORDER :

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Crime No.114 of 2019 of the SHO, Aswapuram Police Station, Bhadradri Kothagudem District, registered against the petitioners/A.1 and A.2 for the offences punishable under Sections 294(b), 323 and 506 of IPC and Section 3(1)(r)(s) of SCs and STs (POA) Act, 1989, as per Amendment Act of 2015.

Though learned counsel for the petitioners/A.1 and A.2 filed the present petition for quashing of proceedings in Crime No.114 of 2019, 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.

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

In that view of the matter, this 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*).

¹ AIR 2014 SC 2756

However, no coercive steps shall be taken against the petitioners/A.1 and A.2.

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

JUSTICE G. SRI DEVI

27.09.2019.

Msr



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Msr