

HONOURABLE JUSTICE G. SRI DEVI
CRIMINAL PETITION No. 6351 of 2019

ORDER:

1. This Criminal Petition, under Section 482 Cr.P.C., is filed by the petitioners/ A.1, A.2 and A.5, seeking to quash the proceedings in Crime No.395 of 2019 of Alwal Police Station, Cyberabad, registered for the offences punishable under Sections 420, 447, 427, 384 and 506 read with 34 of IPC.

2. Though the criminal petition is filed to quash the aforesaid proceedings, during the course of arguments, learned counsel for the petitioners 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. Learned counsel for the petitioners further submits that A.1 was already arrested in the aforesaid crime.

3. The learned Additional Public Prosecutor submits that as A.1 was already arrested, there may be 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's case (supra)* against A.2 and A.5.

4. In that view of the matter, the Criminal Petition is disposed of directing the police concerned to follow the provisions under Section 41-A Cr.P.C. and abide by the directions of the Apex Court as set out in *Arnesh Kumar's case (supra)* against A.2 and A.5.

¹ AIR 2014 SC 2756

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

JUSTICE G. SRI DEVI

01.10.2019
ssp

