

**THE HON'BLE JUSTICE G.SRI DEVI**

**CRIMINAL PETITION No.6623 of 2019**

**ORDER:**

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioners/Accused Nos.5 and 7 seeking to quash the proceedings against them in Crime No.168 of 2019 of Vemulawada Town Police Station, Rajanna Sircilla District, registered for the offences punishable under Sections 420, 468, 323 and 506 I.P.C and Section 3 (1) (r) (s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

2. Heard the learned counsel for the petitioners/Accused Nos.5 and 7, the learned Additional Public Prosecutor representing the 1<sup>st</sup> respondent-State and perused the record.

3. Though the learned counsel for the petitioners/Accused Nos.5 and 7 filed the present petition for quashing the investigation in the aforesaid 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 follow the guidelines prescribed by the Apex Court in **Arnesh Kumar v. State of Bihar and another**<sup>1</sup>.

4. Under these circumstances, the Station House Officer, Vemulawada Town Police Station, Rajanna Sircilla District, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioners/Accused Nos.5 and 7 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**. However, no coercive steps shall be taken

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<sup>1</sup> AIR 2014 SC 2756

against the petitioners/accused Nos.5 and 7 till filing of the final report.

5. With the above direction, the Criminal Petition is disposed of.

Miscellaneous petitions, if any, pending in this criminal petition shall stand closed.

**JUSTICE G.SRI DEVI**

**22<sup>nd</sup> October, 2019**

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**Date:22.10.2019**

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