

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.6628 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/Accused No.3 seeking to quash the proceedings against him in Crime No.138 of 2019 of Prohibition and Excise Station, Ameerpet, registered for the offence punishable under Section 34 (a) of the Telangana State Excise Act, 1968.

2. Heard the learned counsel for the petitioner/Accused No.3, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Though the learned counsel for the petitioner/Accused No.3 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**¹.

4. Under these circumstances, the Prohibition and Excise Station, Ameerpet, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/Accused No.3 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**. However, no coercive steps shall be taken against the petitioner/accused No.3 till filing of the final report.

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

¹ AIR 2014 SC 2756

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

JUSTICE G.SRI DEVI

22nd October, 2019

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Date:22.10.2019

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