

THE HON'BLE JUSTICE G.SRI DEVI

CRIMINAL PETITION No.6759 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioners/Accused Nos.4 and 5 seeking to quash the proceedings against them in C.O.R No.320 of 2019 of Narsampet Prohibition and Excise Station, Warangal District, registered for the offences punishable under Section 34 (e) of A.P. Excise Act, 1968 and Section 7 (a) read with 8 (c) of the A.P. Prohibition Act, 1995.

2. Heard the learned counsel for the petitioners/Accused Nos.4 and 5, the learned Additional Public Prosecutor representing the respondent-State and perused the record.

3. Though the learned counsel for the petitioners/Accused Nos.4 and 5 filed the present petition for quashing the investigation in the aforesaid Crime Occurrence Report, 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 Station House Officer, Narsampet Prohibition and Excise Station, Warangal District, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioners/Accused Nos.4 and 5 and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**. However, no coercive steps shall be taken

¹ AIR 2014 SC 2756

against the petitioners/accused Nos.4 and 5 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

25th October, 2019

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Date:25.10.2019

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