

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

CrI.P.No.6989 of 2019

**ORDER:**

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioners/A1 and A2 seeking to quash the proceedings against them in FIR No.166 of 2019 of Jadcherla Police Station, Mahabubnagar district, pending on its file, registered for the offences punishable under Sections 447, 428, 504, 506-II, 166, 166-A of IPC read with Section 156(3) of Cr.P.C.

2. Heard learned counsel for the petitioners/A1 and A2, learned Additional Public Prosecutor representing the 1<sup>st</sup> respondent-State and perused the record.

3. Though learned counsel for the petitioners/A1 and A2 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. Learned Additional Public Prosecutor conceded the said request stating that the punishment for the alleged offence is imprisonment for seven years and below seven years.

5. Under these circumstances, the Station House Officer, Jadcherla Police Station, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/Accused only and strictly adhere to the guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**. However, no coercive steps

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

shall be taken against the petitioners/accused till filing of the final report.

6. 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**

Date: 7.11.2019  
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