

HON'BLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.7790 of 2019

ORDER :

This Criminal Petition is filed under Section 482 Cr.P.C. seeking to quash the proceedings in Crime No.5 of 2019 on the file of the SHO, Madanapur Police Station, Wanaparthy District, registered against the petitioners/A1 and A2 for the offences punishable under Sections 406 and 420 IPC and 7 of EC Act.

2. Though learned counsel for the petitioners filed the present petition for quashing of proceedings in the above 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 the guidelines prescribed by the Apex Court in **ARNESH KUMAR V STATE OF BIHAR AND ANOTHER¹**. At this stage, the learned Addl. Public Prosecutor would submit that notice under Section 41-A Cr.P.C. has already been issued to the petitioners.

3. Since the petitioners have already been issued notice under Section 41-A Cr.P.C., the petitioners are directed to comply with the said notice as per the directions of the Apex Court as set out in **Arnesh Kumar's case (supra)**. However, no coercive steps shall be taken against the petitioners/A1 and A2 till filing of the final report.

¹ AIR 2014 SC 2756

4. Accordingly, the Criminal Petition is disposed of.
As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE G.SRI DEVI

DATED: 24.12.2019.
Hsd



