

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

CRIMINAL PETITION No.7801 of 2019

ORDER:

This Criminal Petition, under Section 482 of Code of Criminal Procedure, 1973, is filed by the petitioner/Accused seeking to quash the proceedings against him in Crime No.31 of 2019 of Thangalapally Police Station, Thangalapally Mandal, Rajanna Sircilla District, registered for the offences punishable under Section 323 I.P.C and Sections 3 (1) (s) and 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

2. Heard learned counsel for the petitioner/Accused, learned Additional Public Prosecutor representing the 1st respondent-State and perused the record.

3. Though learned counsel for the petitioner/Accused 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. Learned Additional Public Prosecutor conceded the said request.

5. Under these circumstances, the Station House Officer, Thangalapally Police Station, Rajanna Sircilla District, is directed to follow the procedure laid down under Section 41-A Cr.P.C. before arresting the petitioner/Accused and strictly adhere to the

¹ AIR 2014 SC 2756

guidelines formulated by the Apex Court in **Arnesh Kumar case (supra)**. However, no coercive steps shall be taken against the petitioner/accused till filing of the final report.

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

Miscellaneous petitions, if any, pending shall stand closed.

T. AMARNATH GOUD, J

Date: 03.12.2019
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