

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION NO.249 OF 2020

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure (Cr.P.C.) seeking quashing of investigation in Crime No.58 of 2019 of Penchikalpet Police Station, Komaram Bheem Asifabad District, registered against the petitioners/A1 and A2 for the offences punishable under Sections 294-B, 506, 323 read with 34 of I.P.C. and sections 3 (1) (r) (s) and 3 (2) (va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 2015.

Though the learned counsel for the petitioners/A1 and A2 filed the present petition for quashing of investigation in Crime No.58 of 2019, he restricts his prayer seeking a direction to the Investigating agency to follow the procedure prescribed under Section 41-A of the Cr.P.C. and the guidelines prescribed by the Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹.

Learned Additional Public Prosecutor would submit that the directions of the Apex Court have to be followed and implemented.

In that view of the matter, the Criminal Petition is disposed of directing the police to abide by the directions of the Apex Court as set out in ***Arnesh Kumar case (supra)***. No coercive steps shall be taken against the petitioners/A1 and A2 till filing of the final report.

Miscellaneous applications, if any, pending shall stand closed.

(G. SRI DEVI, J)

9th January, 2020
RRB

¹ AIR 2014 SC 2756