

HONOURABLE JUSTICE G. SRI DEVI

CRIMINAL PETITION No.709 of 2020

ORDER:

This petition is filed under Section 482 Cr.P.C., seeking to quash the proceedings in Cr.No.167 of 2019 on the file of Bellampalli Town Police Station, Ramagundam District, registered for the offence under Section 307 read with Section 34 IPC, against the petitioner/A1.

2. Though the petitioner has raised several grounds to quash the aforesaid proceedings, learned counsel for the petitioner restricts his prayer seeking a direction to the Investigating agency to follow the procedure prescribed under Section 41-A of the Code of Criminal Procedure and the guidelines prescribed by the Apex Court in ***Arnesh Kumar v. State of Bihar and another***¹.

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

4. In view of the nature of injuries sustained by the injured, it is a fit case to invoke the provisions under Section 41-A Cr.P.C.

5. Accordingly, the Criminal Petitioner is disposed of, directing the police concerned to follow the procedure under Section 41-A Cr.P.C., and the guidelines issued by the Apex Court in ***Arnesh Kumar's case (supra)***.

6. As a sequel thereto, miscellaneous applications, if any, pending shall stand closed.

G. SRI DEVI, J

31st January, 2020.
sj

¹ AIR 2014 SC 2756