

HONOURABLE SRI JUSTICE P. KESHA VA RAO

CRIMINAL PETITION No.2289 of 2020

ORDER:

Heard learned counsel for the petitioners as well as learned Public Prosecutor.

2. The present criminal petition is filed to quash the proceedings in Crime No.52 of 2020 on the file of the Chandurthy Police Station, Rajanna Sircilla District, registered for the offences under Sections 323 and 290 read with 34 IPC and Section 3(i)(r)(s) and 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015.

3. After making submissions, learned counsel for the petitioners submits that during the course of investigation, the respondent police may be directed to follow due process of law, more particularly by issuing notice under Section 41-A Cr.P.C.

4. Having heard both the counsel and from the perusal of the material on record, since the crime is at the investigation stage, this Court cannot pass any orders in quashing the proceedings. Therefore, the 1st respondent is directed to follow the mandatory provisions as contemplated under Section 41-A Cr.P.C. as well as the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar vs. State of Bihar**¹.

5. With the above direction, the criminal petition is disposed of.

Miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE P. KESHA VA RAO

Date: 28.05.2020

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¹ (2014) 8 SCC 273