

HONOURABLE SRI JUSTICE P. KESHA RAO

CRIMINAL PETITION No.3283 of 2020

ORDER:

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

During the course of hearing, learned counsel for the petitioners submits that if notice under Section 41-A Cr.P.C. is issued, the petitioners are ready and willing to cooperate with the investigating agency by producing all the documents required by them.

Taking the submission made by the learned counsel for the petitioners into consideration and based on the material available on record, the 1st respondent police is directed to follow the mandatory procedure as contemplated under Section 41-A Cr.P.C., and the guidelines issued by the Hon'ble Apex Court in **Arnesh Kumar vs. State of Bihar and another**¹. Meanwhile, the 1st respondent police is also directed not to take any coercive steps against the petitioners. It is made clear that this order will not preclude the respondent police from issuing notice under Section 41-A Cr.P.C. to the petitioners to proceed with the investigation.

With the above directions, the criminal petition is disposed of.

Miscellaneous petitions, if any, shall stand closed.

JUSTICE P. KESHA RAO

Date: 24.08.2020
ES

¹ (2014) 8 SCC 273