

HONOURABLE SRI JUSTICE P. KESHA VA RAO

CRIMINAL PETITION No.3504 of 2020

ORDER:

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

After arguing the matter for some time, learned counsel for the petitioner submits that if notice under Section 41-A Cr.P.C. is issued, the petitioner is 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 petitioner 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 petitioner. 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 petitioner 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 VA RAO

Date: 03.09.2020

mar

¹ (2014) 8 SCC 273