

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No.9733 of 2021

O R D E R:

This Criminal Petition is filed under Section 438 Cr.P.C. seeking pre-arrest bail to petitioners - Accused Nos.1 and 2 in the event of their arrest in connection with Crime No.245 of 2021 of Amangal Police Station registered for the offence punishable under Sections 353 r/w 34 of IPC.

2. Heard Ms.L.Pranathi Reddy, learned counsel for petitioners and learned Assistant Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioners submits that already police issued notice under Section 41-A of Cr.P.C and though entire investigation is completed, they are apprehending arrest.

4. Per contra, learned Assistant Public Prosecutor filed photographs to show that petitioners were in drunken state and they interfere with the police officer, who was discharging his official duties. He submits that since police have already issued notice under Section 41-A of Cr.P.C, they will follow the procedure as contemplated under Section 41-A Cr.P.C and the guidelines formulated by the Hon'ble Supreme Court in **Arnesh Kumar v. State of Bihar**¹.

5. Accordingly, this criminal petition is disposed of directing the respondent-Police to follow the procedure as contemplated

¹ (2014) 8 SCC 273

under Section 41-A Cr.P.C and the guidelines formulated by the Hon'ble Supreme Court in **Arnesh Kumar** (supra) scrupulously.

LALITHA KANNEGANTI, J

7th January 2022

PVD

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07.01.2022

PVD