

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 10160 OF 2021

ORDER:

This petition is filed under Section 438 of Cr.P.C. seeking bail to petitioner/A.1 in the event of his arrest in connection with Crime No.1139 of 2021 of Jawaharnagar Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 420, 471, 457, 380 and 506 read with 34 of the Indian Penal Code and Section 156(3) Cr.P.C..

2. Heard Mr.K.Kiran Kumar, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioner submits that there are disputes between the family members, basing on which the petitioner is implicated in this case. He submits that the punishment prescribed for the offences alleged against the petitioner is up to seven years, as such, the police may be directed to follow the procedure as contemplated under Section 41-A Cr.P.C.

4. Learned Assistant Public Prosecutor submits that there are about three cases are pending against the petitioner in respect of the land in Survey Nos.266, 267 and 268 of Jawaharnagar Village.

5. Taking into consideration the punishment prescribed for the offences alleged against petitioner is up to seven years, without going into the merits of the matter, the respondent - Police are directed to 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 scrupulously. It is needless to say, any deviation in this regard will be viewed seriously.

6. The Criminal Petition is accordingly, disposed of.

Miscellaneous petitions, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

Date: 04.01.2022

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¹ (2014) 8 SCC 273