

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CRIMINAL PETITION No. 10177 OF 2021

ORDER:

This petition is filed under Section 438 of Cr.P.C. seeking bail to petitioner/A.27 in the event of his arrest in connection with Crime No.241 of 2018 of Abdullapurmet Police Station, Rachakonda Commissionerate, registered for the offences punishable under Sections 419, 420, 468 and 471 read with 34 of the Indian Penal Code.

2. Heard Mr.P.Vishnuvardhan Reddy, learned counsel for the petitioner, and learned Assistant Public Prosecutor for the respondent-State.

3. Learned counsel for the petitioner submits that as the punishment prescribed for the offences alleged against petitioner is up to seven years, the police have issued a notice under Section 41-A Cr.P.C. directing the petitioner to appear within one day from the date of issue of the copy. It is submitted that petitioner is resident of Mumbai and practically it is difficult for him to appear on the date mentioned by police in the notice under Section 41-A Cr.P.C. Learned counsel for the petitioner submits that the police may arrest the petitioner on the ground that the petitioner has failed to comply with the directions issued in the notice to appear before them. He further submits that the petitioner is affected financier and disbursed 14 crores of amount, but has been arrayed as accused.

4. Without going into the merits of the matter, as already police issued notice under Section 41-A Cr.P.C. and taking into consideration the submission of the learned counsel for the petitioner that the petitioner is resident of Mumbai, the petitioner is directed to appear before the Police on or before 13.01.2022. Further the police shall follow 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. With the above direction, the criminal petition is disposed of.

Miscellaneous petitions, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

Date: 06.01.2022

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¹ (2014) 8 SCC 273