

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No.10191 OF 2022

ORDER:

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner-Accused to quash the proceedings against him in FIR No.225 of 2022 pending on the file of Station House Officer, Sulthanabad Police Station, Peddapalli District. The offences alleged against the petitioner – Accused are under Sections 447, 427 of Indian Penal Code (for short "IPC") and Sections 3(1)(r)(s) and 3(2)(va) of SC/ST (POA) Act.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the respondent – State. Perused the Record.

3. After arguing sometime, learned counsel for the petitioner confines his prayer to direct the police to follow the procedure prescribed under Section 41-A of Cr.P.C. for reason of the offences alleged against the petitioner are punishable less than seven (07) years.

4. In view of the aforesaid submission of the learned counsel for the petitioner, this Criminal Petition is disposed off directing the Investigating Officer in FIR No.225 of 2022 pending on the file of Station House Officer, Sulthanabad Police Station, Peddapalli District, to strictly follow the procedure laid down under Section 41-A of Cr.P.C. and also the guidelines issued by the Hon'ble Supreme Court in *Arnesh Kumar v. State of Bihar*¹, without taking any coercive steps against the petitioner – Accused. The petitioner shall co-operate with the Investigating Officer by furnishing information and documents as sought by him in concluding the investigation.

Miscellaneous applications pending, if any, shall stand closed.

K.SURENDER, J

Date: 24.11.2022
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¹ (2014) 8 SCC 273