

HON'BLE SRI JUSTICE K. SREENIVASA REDDY

Criminal Petition No.5512 of 2023

Order:

This Criminal Petition, under Section 482 Cr.P.C., has been filed on behalf of the petitioner/accused herein to quash the proceedings in Crime No.143 of 2023 of Peravali Police Station, East Godavari District, registered for the offences punishable under Section 186, 509, 506, 341 of IPC, Sections 3(1)(r), 3(1)(y), 3(1)(z)(za)(A), 3(2)(va) of the S.Cs and the S.T's (POA), Act.

2. Learned counsel for the petitioner, after arguing for some time, has confined his argument to the extent of protecting the petitioner herein from the police on the ground that the offences alleged are punishable with imprisonment up to seven years and prays this Court to direct the police to follow the procedure as contemplated under Section 41-A of Cr.P.C.

3. On the other hand, learned Assistant Public Prosecutor did not oppose the same and concurred with the submission made by the learned counsel for the petitioner for the reason that the offences alleged are punishable with imprisonment up to seven years.

4. Heard. Perused the material on record.

5. Since the offences alleged are punishable with imprisonment of less than or up to seven years, this Court directs the police to follow

the procedure as contemplated under Section 41A of Cr.P.C. scrupulously as per the guidelines enunciated in ***Arnesh Kumar Vs. State of Bihar and another***¹.

6. With the above direction, the Criminal Petition is disposed of.
7. As a sequel thereto, the miscellaneous petitions, if any, pending in this Criminal Petition, shall stand closed.

K. SREENIVASA REDDY, J.

Date:01.08.2023
PKR

¹ (2014) 8 SCC 273

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