

THE HON'BLE SRI JUSTICE K.SREENIVASA REDDY
CRIMINAL PETITION NO.73 OF 2023

ORDER:-

The Criminal Petition, under Section 438 of the Code of Criminal Procedure, 1973, is filed by the petitioners, who are A1 to A7 in Crime No.323 of 2022 of Tadipatri Town Police Station, Anantapuram District, seeking anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Special Assistant Public Prosecutor for respondent-State.

3. After arguing for some time, learned counsel for the petitioners submits that the offences alleged are punishable with imprisonment of less than seven years and hence police be directed to follow the procedure contemplated under Section 41-A Cr.P.C.

4. In view of the facts and circumstances of the case, police are directed to follow the procedure contemplated under Section 41-A Cr.P.C scrupulously as per the guidelines laid down under ***Arnesh Kumar Vs. State of Bihar and another***¹. Police are directed to interrogate the petitioners in the presence of an Advocate of their choice and the petitioners are permitted to attend the police station along with their Advocate and they shall cooperate with the investigation.

5. With the above directions, the Criminal Petition is disposed of.

Miscellaneous petitions, if any pending, in the Criminal Petition, shall stand closed.

JUSTICE K. SREENIVASA REDDY

20.01.2023
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¹ (2014) 8 SCC 273

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