

**THE HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO**

**WRIT PETITION No.33021 of 2017**

**ORDER:**

Heard learned counsel for the petitioner-Accused No.3 in Crime No.62 of 2017 and also learned Government Pleader for Home representing the respondents and perused the prayer in the writ petition with supporting affidavit.

As the allegations show some substance to the accusation of the penal offence, without prejudice to the available defences to pursue the remedies for nothing to interdict the investigation, the writ petition is disposed of leaving it open to the petitioner to pursue the available remedies in the crime concerned according to law. Needless to say, none of the offences are punishable above 7 years and thereby the police are bound to follow Section 41-A Cr.P.C. and the guidelines of the Apex Court in **Arnesh Kumar Vs. State of Bihar**<sup>1</sup>. No costs.

As a sequel, miscellaneous petitions, if any, pending, shall stand closed.

**Dr. B.SIVA SANKARA RAO J,**

27.09.2017

Note:

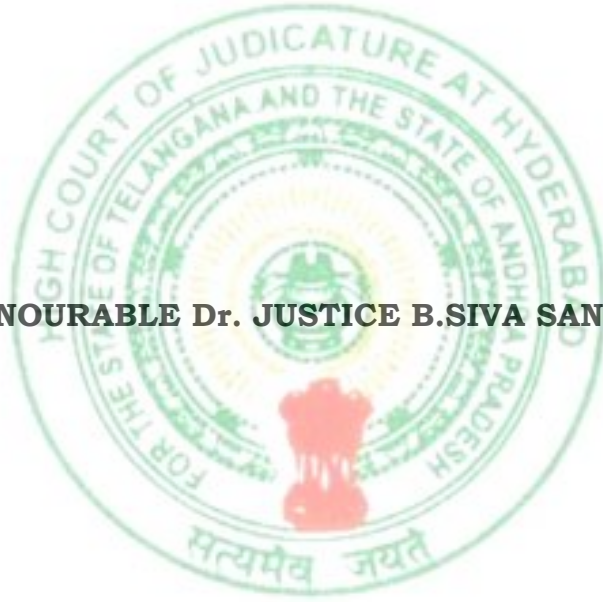
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(B/o) dv/jsu

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<sup>1</sup> 2014 (8) SCC 273

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