

**THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR**

**CRIMINAL PETITION No.5864 of 2019**

**ORDER:-**

This Criminal Petition is filed by the petitioners/A-2, A-3, A-6 and A-7 under Section 482 of the Criminal Procedure Code, 1973 to quash the proceedings in Crime No.30 of 2019 on the file of Women Police Station, S.P.S.R. Nellore District, registered for the offences punishable under Sections 417 and 498-A I.P.C. and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

2. Though various grounds are raised, learned counsel for the petitioners submits that as the offences alleged are punishable with imprisonment of less than seven years, the respondent police may be directed to follow the procedure laid down under Section 41-A Cr.P.C and guidelines formulated by the Apex Court in ***“Arnesh Kumar v. State of Bihar and another<sup>1</sup>”***.

3. The same is not seriously disputed by the learned Public Prosecutor appearing for the State as the offences alleged are punishable with imprisonment of less than seven years.

4. Having regarding to the above, without touching the merits of the case, the respondent police are directed to follow the provisions of Section 41-A Cr.P.C. if they have not already issued a notice under Section 41-A Cr.P.C. It is made clear that if the petitioners are not yet arrested or if they have not obtained regular bail or anticipatory bail till today, the respondent police shall scrupulously follow Section 41-A Cr.P.C.

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

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

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

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**JUSTICE C.PRAVEEN KUMAR**

Date : 31.12.2019  
AMD

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