**HIGH COURT OF ANDHRA PRADESH:: AMARAVATI**

**MAIN CASE NO.: Crl.P.No.1038 of 2026**

**PROCEEDING SHEET**

| Sl. No. | Date | ORDER | OFFICE NOTE |
|---|---|---|---|
| 1. | 09.02.2026 | **Dr.VJP,J**<br>Heard the learned counsel for the Petitioner.<br>Learned Assistant Public Prosecutor takes notice for the State.<br>Learned counsel for the Petitioner would submit that all the offences are punishable below seven years of imprisonment and a direction may be given to the Police to follow the guidelines issued by Hon'ble Apex Court in ***Arnesh Kumar v. State of Bihar***[1] reported in (2014) 8 SCC 273, since Section 35(3) of BNSS is *pari materia* to Section 41-A of the Code of Criminal Procedure.<br>Learned Assistant Public Prosecutor fairly conceded the same and would submit that a direction may be given to the Police to follow the procedure as established under Section 35(3) of BNSS since the offences are punishable with an imprisonment of below seven years.<br>In that view, the Police are directed to follow the guidelines issued by the Hon'ble Apex Court in ***Arnesh Kumar v. State of Bihar*** (referred supra) | **Contd…** |

[1] (2014) 8 SCC 273

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| | | scrupulously.<br><br>Issue notice to Respondent No.3.<br><br>Learned counsel for the Petitioner is permitted to take out personal notice on Respondent No.3 through Speed Post/Courier and file proof of the same.<br><br>List the matter on 02.03.2026.<br><br>**Dr.VJP, J**<br><br>KNN | |