

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: Cri.P.No.10920 of 2025

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
01.	23.10.2025	<u>Dr.VJP,J</u> Heard learned counsel for the petitioner(s) and Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor. Learned Assistant Public Prosecutor takes notice on behalf of the State. Learned counsel for the Petitioner(s) 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 <i>Arnesh Kumar v. State of Bihar</i>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. 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 Act since the offences are punishable with an imprisonment of below seven years.	

¹ (2014) 8 SCC 273

		In that view, the Police are directed to follow the guidelines issued by the Hon'ble Apex Court in <i>Arnesh Kumar v. State of Bihar</i> (referred supra) scrupulously. Issue notice to the respondent No.2. Learned counsel for the petitioner(s) is permitted to take out personal notice to the respondent No.2 through RPAD/Courier and file proof of the same in the Registry. List the matter on 11.12.2025. <u>Dr.VJP, J</u> SAB	
--	--	--	--