HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: Crl.P.No.10951 of 2025

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
01.	16.10.2025	**Dr.VJP,J** Heard the learned counsel for the Petitioners. Learned Assistant Public Prosecutor takes notice for the State. Learned counsel for the Petitioners 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. 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. 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)	

[1] (2014) 8 SCC 273

		scrupulously. The Police are further directed not to take any coercive steps against the petitioners and investigation may go on. Issue notice to Respondent No.2. Learned counsel for the Petitioners is permitted to take out personal notice on Respondent No.2 through RPAD/Courier and file proof of the same. List the matter on 19.12.2025. **Dr.VJP, J** JLV	