

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.35208 of 2015

ORDER:

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The grievance of the petitioner was that the police authorities, respondents 3 and 4, were seeking to arrest him in relation to Crime No.871 of 2015 registered on the file of Vanasthalipuram Police Station, Cyberabad, Ranga Reddy District, though he was not shown as an accused therein.

The Inspector of Police, Vanasthalipuram Police Station, Cyberabad, filed a counter-affidavit stating that upon receiving credible information about selling of bio products with duplicate labels at Injapur whereby customers were being cheated, the Sub-Inspector of Police, Vanasthalipuram Police Station, rushed to the spot and apprehended two individuals and upon recording their detailed statements, they were shown as accused Nos.1 and 2 in Crime No.871 of 2015 which was registered under Sections 420 and 201 I.P.C. on the file of Vanasthalipuram Police Station. Insofar as the petitioner is concerned, it was stated in para 5 of the counter-affidavit that the petitioner could not escape criminal liability by stating that his name is Amaravati Ramanjineya Reddy and that he is not Ram Mohan Reddy @ Nizal Reddy S/o. Ramanjan Reddy. According to the Inspector of Police, the name was wrongly mentioned as Ram Mohan Reddy by mistake but, during the course of investigation and as per the statement of accused No.2, it was revealed that Ram Mohan Reddy (A3) and Amaravati Ramanjineya Reddy, the petitioner herein, were one and the same. The Inspector of Police further stated that while the investigating agency was trying to apprehend the petitioner, he filed this writ petition only to escape criminal liability and divert the attention. He further stated that there was ample evidence adduced during the course of investigation to support the case of the prosecution that all the accused had committed the offence. In para 6 of the counter-affidavit, the Inspector of Police stated that for want of

apprehension of the petitioner, the case was pending and that action would be taken against him following the due procedure as contemplated under law. He concluded the counter by stating that mere wrong mention of the name of the accused in the relevant column would not be enough to allow the petitioner to take advantage of it and escape his liability in relation to the subject crime.

In the light of the afore-stated counter averments, which remained unrebutted as the petitioner has not chosen to file a reply-affidavit, no adjudication is warranted in this writ petition.

The writ petition is accordingly closed leaving it open to the police authorities to follow the due procedure prescribed by law and take appropriate action in relation to Crime No.871 of 2015 on the file of Vanasthalipuram Police Station, Cyberabad. It shall also be open to the petitioner to take recourse to appropriate measures in accordance with law, if so advised.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

16th December, 2015
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