

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.22841 of 2011

ORDER:

The grievance of the petitioners in this case was that the Station House Officer, V Town Police Station, Nellore, was calling them to the police station and detaining them at the behest of the 4th respondent, though no crime was registered against them.

The Sub-Inspector of Police, V Town Police Station, Nellore, filed a counter-affidavit denying the petitioners' allegation that they were called to the police station and detained there. He further stated that one Bheemireddy Narsareddy lodged a complaint against the petitioners whereupon Crime No.145 of 2011 was registered under Sections 419, 420, 468, 465 and 471 I.P.C., read with Section 34 I.P.C., on the file of the V Town Police Station, Nellore. The petitioners were shown as A.1 and A.2 therein. The 4th respondent herein was one of the witnesses examined during the course of investigation in the said crime. The Sub-Inspector further stated that only to prevent the police authorities from taking action against the petitioners, pursuant to the registration of the aforestated crime, this writ petition was filed.

In the light of the aforestated facts, it is clear that the allegation of the petitioners that the police were interfering with their life and liberty without just cause is shown to be without basis. As a crime was registered against them, the police necessarily had to investigate the same and in that process, summon and examine them. The petitioners can have no grievance in this regard. Needless to state, the police would be bound to abide by the due procedure laid down by law, while exercising the powers of investigation and taking necessary action thereafter.

Making this position clear, the writ petition is closed.

It is noticed that the petitioners impeladed the Station House

Officer, V Town Police Station, Nellore, by name, as the

5th respondent. However, notice was not ordered to him at all.

In that view of the matter, liberty is given to the petitioners to approach the competent forum, if they still seek to pursue their grievance as against the 5th respondent.

Pending Miscellaneous Petitions shall also stand closed. No order as to costs.

SANJAY KUMAR, J

Date:26.06.2015

GJ