

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH
(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JANUARY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.40155 of 2014

BETWEEN

D.Harish

... PETITIONER

AND

The State of Andhra Pradesh, rep. by its Principal Secretary, A.P.
Secretariat Building, Hyderabad and others.

...RESPONDENTS

The Court made the following:

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ORDER:

Heard.

2. This writ petition is filed alleging that the Inspector of Police and the Sub-Inspector of Police of Penamaluru police station-respondent No.2, are sending police constables to the petitioner's house, calling the petitioner to the police station, making him to sit through out the day and, as such, he is repeatedly being harassed. Hence, the present writ petition is filed seeking Mandamus.

3. Instructions of the learned Government Pleader show that against the

petitioner, a case in Crime No.375 of 2014 was registered under Section 379 IPC on the file of respondent No.2 police station and the said crime was already investigated, charge sheet was filed and the same is pending trial in C.C.No.575 of 2014 before I Additional Metropolitan Magistrate, Vijayawada. The instructions further show that in view of filing of such charge sheet and the competent criminal Court being seized of C.C.No.575 of 2014, police have no further role in the matter. It is also stated that since the petitioner is not required for any other purpose in the police station, the question of calling him also does not arise.

4. As is evident from the instructions aforesaid, since the investigation in the crime is completed, charge sheet was filed and the criminal case is now pending before the competent criminal Court, I do not see any reason for the police to call the petitioner, as no investigation is pending. The present allegations in the affidavit appear to have been made only on an apprehension and seeking anticipatory relief. In view of the instructions, as recorded above, no further orders are required.

Writ petition is, accordingly, disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

January 19, 2015
LMV