

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.29319 OF 2011

DATED: 12.06.2015

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Between:

G. Ajay Babu and others

.. Petitioners

And

The Govt. of Andhra Pradesh,

Rep. by its Principal Secretary,

Home Department, and others.

.. Respondents

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.29319 of 2011

ORDER:

This writ petition was filed complaining that the police authorities were harassing the petitioners and that they had not registered a crime basing on their complaint dated 06.09.2011 which was made against respondents 3 to 7.

The Superintendent of Police, Sri Potti Sriramulu Nellore District, filed a counter-affidavit stating that the petitioners were arrayed as the accused in Crime No.126 of 2011 which was registered under Sections 406, 420 and 120-B I.P.C. read with Section 5 of the A.P. Protection of Depositors of Financial Establishments Act, 1999, on the file of the I Town Police Station, Nellore District. He further stated

that the petitioners' alleged complaint dated 06.09.2011 had not been received by the Station House Officer, I Town Police Station, Nellore District, as alleged and that therefore the question of inaction thereupon did not arise.

In the light of the afore-stated counter-affidavit averments, the petitioners cannot complain of interference by the police authorities. Once a criminal case has been registered against them, the police authorities are bound to investigate the same and in that exercise, they would be at liberty to summon and examine those involved. Needless to state, they are bound to follow the due procedure laid down by law while doing so. Insofar as the alleged inaction of the police authorities is concerned, there is no evidence to show that the petitioners' complaint dated 06.09.2011 was ever received by the police authorities whereby any inaction can be imputed to them.

In that view of the matter, this Court finds no reason for interference. The writ petition is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

12th June, 2015

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