

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.33264 OF 2016

ORDER:

1. This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of Mandamus declaring the PT warrants issued by the Judicial First Class Magistrate, Railway-Kodur Police Station, in Crime No.91 of 2016 as arbitrary and illegal.

2. Heard and perused the material available on record.

3. The grievance of the petitioner is that her husband was high handedly implicated in several false cases and even though he was granted bail in connection with several crimes registered against him, the official respondents went on implicating him in several cases and he has been in Central Prison, Kadapa since 25.2.2016 as P.T. warrants are being issued against him when he was about to be released on bail in any offence. Even though the official respondents are well aware of the pendency of other cases against the husband of the petitioner, instead of producing him on P.T. warrant in those cases, they are invoking the said provision only at the time of his release on bail.

4. Considering the facts and circumstances of the case, this Court is of the view that whenever a person is detained in prison in connection with a particular crime and if the fact of pendency of other crimes is known to the officers concerned, it is the bounden duty of the said officers to produce the said person on P.T. warrant and detain him in prison after remand by the competent Court. In the name of investigation and pendency of various crimes, the officers should not drag on the matter with an intention to detain him in prison for some more period. Hence, the official

respondents are hereby directed to produce the husband of the petitioner on P.T. warrant, if any crimes are pending against him, and complete the investigation as expeditiously as possible.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous Petitions pending, if any, in this Writ Petition, shall stand closed.

JUSTICE RAJA ELANGO

24.10.2016
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Date: 24.10.2016

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