

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No. 38746 of 2015

ORDER:

The prayer of the petitioner in this case is as under:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the

3rd respondent in calling the petitioners herein to the police station and making them to sit in the police station for hours together without any complaint or case registered against us, as being illegal, arbitrary, violative of Article 21 of the Constitution of India, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.”

2. Written instructions dated 08.12.2015 were furnished by the Sub-Inspector of Police, Bapatla Town Police Station, Guntur Rural District, to the office of the learned Government Pleader for Home wherein he stated that the petitioners were involved in certain criminal cases and as the petitioner No.2 was residing within the limits of Bapatla Town, the police authorities were maintaining a close watch to know his movements as he was a repeated property offender. Reference was made to a message said to have been addressed by the petitioner No.1 to the State Human Rights Commission of Andhra Pradesh wherein she alleged that the police authorities had abused her by caste and had falsely implicated her in cases. The Station House Officer, Bapatla Police Station was stated to have enquired with the petitioner No.2 about the matter and it was revealed that the petitioner No.2 was residing at Aravapalem in Bapatla along with his family members and on 19.01.2014 he was at home with his wife and children. The Sub-Inspector stated that neither police authorities had taken him away on the said date nor did they know of the presence of the petitioner No.1 at Bapatla on that day. The compliance report was stated to have been sent on 20.12.2014 by the Station House Officer to the Superintendent of Police, Guntur Rural District.

The Sub-Inspector concluded by stating that the police authorities were maintaining a close watch upon petitioner No.2 and that the petitioner No.1

had made false allegations against them with an illegal intention. The further allegation to the effect that the petitioners were being made to sit in the police station for hours together was denied.

3. In the light of the aforestated stand of the police authorities which is duly taken on record, no adjudication is warranted in this writ petition and the learned counsel for the petitioner himself concedes so.

The Writ Petition is accordingly closed. Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

January 6, 2016
Lmv