

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.21062 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“to grant an order, direction or writ, more so in the nature of Writ of certiorari, declaring the action of the 3rd respondent in implicating the petitioner herein as Accused No.5 in Cr.No. 215 of 2016 on the file of SHO, Dharmavaram (Urban) Police Station, Ananthapur District as illegal, arbitrary, highhanded and violative of Article 14 and 21 of Constitution of India and consequently to quash the proceedings against the petitioner/ Accused No.5 in Cr.No. 215 of 2016 on the file of 3rd respondent herein and pass such other order or orders as this Hon'ble court deem fit and proper in the circumstances of the case.”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner seeks a direction to the respondents not to arrest the petitioner till completion of the investigation, in view of the orders passed by this Court in W.P.M.P.No.18598 of 2016 in W.P.No.14973 of 2016.

4. Having regard to the judgment of the Hon'le Supreme Court rendered in **Km.Hema Mishra Vs. State of U.P., and others**

(Criminal Appeal No.146 of 2016) and in view of the orders passed by this Court in W.P.M.P.No.18598 of 2016 in W.P.No.14973 of 2016, there shall be a direction to the respondents not to arrest the petitioner in relation to the subject crime till completion of the investigation and filing of a final report before the competent Criminal Court. It is needless to mention that the petitioner shall co-operate with the investigating authorities and make himself available as and when required.

5. Accordingly, the Writ Petition is disposed of.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

-

JUSTICE C. PRAVEEN KUMAR

Date:29.06.2016
INL