

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.42336 of 2015

ORDER:

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

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue appropriate writ or direction more particularly one in the nature of writ of mandamus declaring the impugned actions of the respondents 3 to 5 in calling the petitioners day-in and day-out to the 4th respondent police station as highly Illegal, Arbitrary & Violative of Article 19 & 21 of the constitution of India and consequentially direct the respondents 3 to 5 not to harass the petitioners nor implicate them in false cases, except under due process of law and pass such order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

The Sub-Inspector of Police, MVP Police Station, Visakhapatnam City, filed a counter-affidavit stating that Crime No.244 of 2015 was registered under Sections 420 and 506 I.P.C. read with Section 34 I.P.C. on the file of MVP Police Station against the petitioners. It is in the course of investigation in this crime that the police authorities were stated to be interfering with the life and liberty of the petitioners.

In the light of this counter-affidavit averment, which remained unrebutted, Sri T.M.K. Chaitanya, learned counsel for the petitioners, would seek leave to enable his clients to pursue their remedies insofar as the registration of the crime against them is concerned.

The writ petition is accordingly dismissed with the liberty afore-stated. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

29th March, 2016
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