

THE HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No. 20981 of 2016

ORDER:

Heard learned counsel for the petitioner and learned Government Pleader of Home.

With the consent of both the parties, the writ petition is disposed of at the admission stage.

The present writ petition is filed under Article 226 of the Constitution of India, with the following prayer:

‘For the reasons stated in the accompanying affidavit, the petitioner herein prays that this Hon’ble Court may be pleased to issue a writ of mandamus or any other appropriate writ or order or direction declaring the action of the third respondent in calling the petitioner to police station from morning to night without there being any crime pending or involved in any offence and listed me as a member of rowdy sheet inspite of acquitted in two cases as illegal, arbitrary and unconstitutional and violative of principles of natural justice and also contrary to the provisions of the Police Standing Orders and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case’.

The grievance of the petitioner, who is doing a private job in a work shop at Kakinada, appears to be that he was implicated in two cases which ended in acquittal, but, the third respondent was calling him to the police station by opening a rowdy sheet against the petitioner, without following due process of law.

Though various grounds are raised, learned counsel for the petitioner restricts his prayer seeking a direction to the respondents not to summon the petitioner to the police station,

without following due process of law.

Learned Government Pleader submits that the petitioner shall not be summoned to the police station without following the procedure contemplated under law.

Recording the said submissions, the writ petition is disposed of directing the respondent - police authorities to be mindful of the limits of their jurisdiction in criminal law and not to summon the petitioner to the police station without following due process of law.

Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

**JUSTICE C.PRAVEEN
KUMAR**

29.06.2016
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