

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36617 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 3rd respondent in registering Crime No.212 of 2016 against him, as illegal and arbitrary, and consequently set aside the same.

On 06.08.2016, while the Inspector of Police, Kavali I-Town Police Station, conducting patrolling duty, when he reached near KMA Hospital, Main road, the petitioner along with some persons, was shouting loudly in the opposite building of the said hospital and when the police asked about the nuisance, he abused them in filthy language and ran away from that place.

Learned counsel for the petitioner submitted that the petitioner is President of Kavali Town Recreation Club, which was started with an objective of providing recreational and cultural activities to the public, and that the police are frequently conducting raids on the club and harassing the petitioner, and on 06.08.2016 the police inspected the club and arrested the petitioner and seized the club alleging some illegal activities are going on in the club and the petitioner was released at 11.00 p.m., on station bail on the same day, and within few hours, he was again arrested on the ground that he abused the police officials and obstructed them in discharging their duties.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioner and another, and the respondents are investigating into the matter in accordance with law.

Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondents Nos.2 and 3 are directed to complete the investigation in Crime No.212 of 2016 of Kavali I-Town Police Station, Kavali, SPS Nellore District, and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigation officer concerned, as and when required for the purpose of investigation.

With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

October 28, 2016
KTL



RAJA ELANGO, J

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No:34584 OF 2016



17/10/2016

Nh.