

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

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WRIT PETITION No. 17072 of 2016

ORDER:

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The present Writ Petition is filed seeking issuance of writ of mandamus declaring the action of the respondent No.3 in interfering with the personal life and liberty of the petitioners while finding out the whereabouts of the son of petitioner, who is figured as A-5 in Crime No.51 of 2016 of Ananthapuramu III Town Police Station, Ananthapuramu.

2. A perusal of the material placed before this Court and also the averments made in the Writ Petition would show that the son of the petitioners by name T.Vijaya Reddy figured as A-5 along with other accused in Crime No.51 of 2016 of Ananthapuramu III Town Police Station, Ananthapuramu, registered for the offences punishable under Sections 450, 365, 342, 323, 324, 384 and 506 read with 34 IPC. During the course of the investigation, the police are alleged to have arrested some of the accused and are in search of the son of the petitioners by name T.Vijaya Reddy.

3. It is the case of the petitioners that the police are harassing the petitioners by making them to come to police station and sit in the police station from morning to evening every day. The said action of the 3rd respondent is subject matter of the challenge in the present Writ Petition.

4. Learned Government Pleader for Home on instructions denies the allegation against the 3rd respondent in summoning the petitioners.

5. Since this Court is not going into the merits, it may not be necessary to give notice to 3rd respondent. Having regard to the averments made in the Writ Petition, the respondent No.3 is directed

not to harass the petitioners by summoning them to come to police station and be mindful of the limits of his jurisdiction in criminal law before summoning any person to police station. If really he intends to examine the petitioners during the process of investigation in the above crime, he has to follow the procedure contemplated under the Code of Criminal Procedure.

6. With the above direction, the Writ Petition is disposed of. No costs. Miscellaneous Petitions pending if any, in this Writ Petition, shall stand closed.

JUSTICE C. PRAVEEN KUMAR

Date: 03.06.2016
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