

THE HONOURABLE SRI JUSTICE RAJA ELANGO

W.P.No.38436 of 2016

ORDER

This writ petition under Article 226 of Constitution of India is filed by petitioner seeking to declare the action of respondents 4 to 8 in creating panic situation by threatening him to foist false cases and obstructing him to attend the criminal cases pending before the Courts to defend himself, as illegal and arbitrary.

2. Petitioner states that the third respondent vide proceedings dated 30.09.2014 issued orders of detention under Sub-Section 2 of Section 3 of the A.P.Prevention of Dangerous Activities of Boot Leggers, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 and he was sent to jail. He states that after completion of entire period of 12 months, petitioner was released from jail on 07.10.2015, from that date onwards, the police are insisting him to come to police station daily and they also took his signatures at his residence and that the Task Force Police also threatening him to continue rowdy sheet against him on the ground of pendency of criminal cases against him. Hence, he filed the present writ petition.

3. Respondent No.7 filed counter stating that in view of the involvement of petitioner in several criminal cases mentioned therein, rowdy sheet was opened against him on the file of S.R.Nagar Police Station, Hyderabad, as per the proceedings of the Assistant Commissioner of Police, dated 22.01.2007. The relevant paragraph Nos.9 and 10 are extracted hereunder:

“It is respectfully submitted that the contention of the petitioner that the 7th respondent and staff visited the petitioner and interfered in

day-to-day life by calling him to the police station is incorrect, baseless and invented for the sake of filing the present writ petition.

It is respectfully submitted that it is incorrect to say that on 07.10.2015 the police constable came to the petitioner, taken his signature and directed to come to the police station. It is also incorrect to say that the 7th respondent harassed, tortured the petitioner herein and treated him as an animal, hence denied”.

4. Learned counsel for the petitioner submitted that the petitioner is ready to appear before the police weekly once.

5. In view of the averments in the counter affidavit that the petitioner was involved in several criminal cases, I deem it appropriate to direct the petitioner to appear before the Police concerned on every Monday for a period of three months and the respondents are directed not to harass the petitioner on the ground of pendency of criminal cases, however, they are at liberty to proceed with the investigation in accordance with law in the criminal cases registered against the petitioner.

6. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this petition shall stand closed.

19th December, 2016
sj

RAJA ELANGO, J