

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.23731 of 2016

ORDER:

Heard counsel for the petitioner and the Government Pleader for Home appearing for respondents 1 to 5.

2. Petitioner has filed this Writ Petition questioning the action of the respondents 4 and 5 in trying to arrest the petitioner in connection with the investigation in Crime No.166 of 2016 on the file of the 4th respondent without following the procedure contemplated under Section 41(A) of Criminal Procedure Code.

3. Petitioner contends that the provisions of the Section 41A are mandatory and deliberately respondents are not issuing the said notice to him.

4. The Government Pleader for Home states that the petitioner is evading receipt of the notice and that attempts are being made to send the said notice by RPAD.

5. To avoid any further controversy, the petitioner is directed to furnish his address particulars with mobile number to which communication can be sent by the 4th respondent.

6. Counsel for the petitioner has given the following address for communicating the petitioner by the 4th respondent.

“Byreddy Naresh, S/o Prakasa Rao,
Age: 33 years, R/o Flat No.201, 3rd
Floor, Siddu Aqua Poles, Plot No.545
and 546, Gayathri Nagar, Allapur
Hyderabad.

Ph # 9703155111 ”

7. In view of the same, this Writ Petition is disposed of directing the respondents to send notice to the said address/mobile number under Section 41(A) of Criminal Procedure Code, if they require the presence of the petitioner for the purpose of investigation in connection with Crime No.166 of 2016 on the file of the 4th respondent. There shall be no order as to costs.

8. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

M.S.RAMACHANDRA RAO, J

21st July, 2016

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