

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 13219 of 2017

ORDER:

1) Heard learned counsel for the petitioners and Government Pleader for Home.

2) The present writ petition came to be filed with the following relief:

“issuance of writ of mandamus declaring the action of respondent Nos.2 and 3 in insisting the petitioners to appear before respondent Nos.2 and 3 Police Stations respectively without registering any crime against the petitioners and without following the due process of law as laid down under the Code of Criminal Procedure, 1973, and in violation of Section 41-A of Cr.P.C., violative of Articles 14, 19 (1) (d) and 300-A of the Constitution of India, apart from being violative of principles of natural justice; and consequently direct respondent Nos.2 and 3 not to interfere with the personal life and liberty of the petitioners without following due process of law.”

3) The grievance of the petitioners is that respondent Nos.2 and 3 are insisting the petitioners to appear before them without there being any crime registered against them and without following due process of law.

4) Government Pleader for Home denies the allegations made in the affidavit filed in support of the writ petition. According to

her, respondent Nos.2 and 3 never called the petitioners to the police stations.

5) In view of the rival submissions made, the present writ petition is disposed of directing respondent Nos.2 and 3 to follow due process of law, in case the petitioners are to be summoned to the police station. No order as to costs.

6) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

01.06.2017
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JUSTICE C. PRAVEEN KUMAR