

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.2736 of 2017

ORDER

This writ petition is filed challenging the action of the 2nd respondent in calling the petitioners repeatedly to the Peddatippasamudram (PTM) Police Station, PTM Mandal, Chittoor District, based on the complaint lodged by the 3rd respondent in Cr.No.1 of 2017 under Sections 353, 341, 506 read with 34 IPC.

It is the case of the petitioners that they belong to Madumuru Village and Gram Panchayat. The 3rd respondent is the Sarpanch of the said Gram Panchayat. When Janmabhoomi programme was conducted on 6.1.2017, it is alleged that the petitioners and others obstructed by throwing dry barbed bushes and stones on the road and a complaint was lodged for taking action against the petitioners. The 2nd respondent registered a case in Cr.No.1 of 2017 on 6.1.2017 and harassing the petitioners by repeatedly calling them to the police station.

Learned counsel appearing for the petitioners submits that the petitioners belong to a different political party other than the political party which the 3rd respondent belongs to and the action of the petitioners is politically motivated and the 2nd respondent is harassing the petitioners without following due process of law.

Since the writ petition is disposed of at the stage of admission, this Court cannot give a conclusive opinion about the

action alleged against the petitioners, but it is needless to observe that pursuant to the registration of crime, the 2nd respondent shall not harass the petitioners without following due process of law including notice under Section 41-A of the Criminal Procedure Code. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

27th January, 2017
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