

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 30914 OF 2017

ORDER:

This Writ Petition is filed alleging that the respondent police authorities have been harassing the petitioner though he is not at all connected with any crime and has not been shown as an accused.

Heard learned counsel for the petitioner.

Learned Government Pleader for Home (Andhra Pradesh) has placed before this Court the written instructions received from the Sub-Inspector of Police, Dachepalli Police Station, wherein it has been stated that the preliminary investigation conducted into the complaint of the Assistant Commercial Tax Officer, Boarder Check Post, Pondugula dated 04.04.2016 revealed the involvement of the petitioner and hence, Crime No. 76 of 2016 has been registered on 04.04.2016 for the offences punishable under Sections 468, 471 and 420 of the Indian Penal Code and that he has been arrayed as Accused No.4. It is further stated that as on date, statements of L.Ws. 1 to 9 were recorded which also disclose, *prima facie*, material against the petitioner. As a matter of fact, the petitioner is not available for the purpose of investigation and his whereabouts are also not known. In those circumstances, the allegation of harassment meted out to the petitioner, is denied.

Having considered the respective submissions, in the light of the assertion of the Sub-Inspector of Police that the petitioner has been arrayed as Accused No.4 in Crime No. 76 of 2016 on the file of Dachepalli Police Station, the petitioner shall be at liberty to approach the competent criminal Court if he is aggrieved with any

action of the police. It is needless to mention that the respondent police authorities shall strictly follow the procedure laid down in ***Lalita Kumari v. Government of U.P.***¹ and ***Arnesh Kumar v. State of Bihar***² during the course of investigation.

The Writ Petition is accordingly, disposed of. No costs.

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

15th September 2017

ksld



¹ (2014) 2 SCC 1

² AIR 2014 SC 2756