

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 42298 of 2016

ORDER:

This writ petition is filed challenging the action of respondent Nos.2 to 6 in interfering with the peaceful life and liberty of the petitioner under the guise of registration of Crime No.98 of 2016, dated 29.06.2016.

The petitioner states that the above said crime was registered against one N.Ram Gopal and he was arrested and remanded to judicial custody. However, in the remand report, it is stated that the remaining stolen property is in possession of the petitioner and the mother of the accused and it is yet to be recovered. In spite of knowing about the said fact, the present writ petition is filed alleging harassment by respondent Nos.4 and 5.

Respondent No.5 filed a counter-affidavit stating that the petitioner has been absconding after registration of Crime No.98 of 2016 on 29.06.2016. The Police never interfered with the peaceful life and liberty of the petitioner, but his presence is necessary in connection with the said crime only.

Since the presence of the petitioner is necessary in connection with the said crime, this Court is not inclined to entertain the present writ petition, except protecting the interest of the petitioner by stating that respondent No.5 shall follow due process of

law including issuance of notice under Section 41 (A) Cr.P.C., while investigating the crime.

The writ petition is accordingly dismissed.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:10.04.2017
kdl

