

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 4235 of 2017

Order:

This Writ Petition is filed challenging the action of the respondents in registering Crime No.43 of 2017, under Section 498-A IPC, on 28.01.2017 and trying to arrest the petitioners without following due process of law.

Learned counsel appearing for the petitioners submits that the police are acting highhandedly without following due process of law after registering the crime and the principle laid down in Arunesh Kumar v. State of Bihar¹, is applicable to the facts of the case.

Since the case is at the initial stage, this Court is not inclined to interfere with the investigation process. However, it is needless to observe that the police shall follow due process of law during the course of investigation including Section 41-A of Cr.P.C.

The Writ Petition is, accordingly, disposed of at the admission stage. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 08.02.2017
Nsr

¹ (2014) 8 SCC 273