

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.8506 of 2017

ORDER:

This writ petition was filed seeking a direction to the respondents to consider the representation of the petitioners dated 08.03.2017 for granting reasonable time to enable them to answer the notice under Section 41-A Cr.P.C. issued by the respondents on 06.03.2017.

2. On earlier occasion, this court disposed of WP No.45865 of 2016 filed by the petitioners when the registration of Crime No.632 of 2016 was challenged before this court. This court came to the opinion that the registration of a crime is not without jurisdiction. It is also recorded that since the 2nd respondent already issued notice under Section 41-A Cr.P.C. and in view of the stay granted in the said writ petition, since it was stated that the petitioners could not appear before the 2nd respondent, the 2nd respondent was directed to issue another notice to the petitioners for their appearance. The 2nd respondent was also directed to continue the investigation. The present writ petition was filed when a second notice was issued by the 2nd respondent for their appearance.

3. It is submitted by the learned counsel for the petitioners that after disposal of the earlier writ petition, there was a death in the family of the petitioners, which disabled them to come out of the house and they undertook to appear before the 2nd respondent on 17.03.2017.

4. In the circumstances and in view of the apprehension expressed by the *de facto* complainant, the petitioners are directed to deposit their Passports forthwith with the 2nd respondent and the 2nd respondent shall not take any coercive steps for arrest of the petitioners. The 2nd

respondent can take proper action in accordance with law, including return of the Passports after the appearance of the petitioners on 17.03.2017 as afore stated.

5. The writ petition is, accordingly, disposed of. No order as to costs. Pending miscellaneous petitions, if any, shall stand dismissed in consequence.

A. RAMALINGESWARA RAO, J

Date: 15.03.2017
BSS



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