

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 4307 of 2017

Order:

The petitioner came to know that a private complaint was lodged against one S.P. Vijaya Laxmi and three others on the file of IX Metropolitan Magistrate, Cyberabad, at Miyapur and the same was referred to Kukatpally Police Station. The said complaint was registered as Crime No.248 of 2016 against S.P. Vijaya Laxmi and three others. The name of the petitioner is not shown in the complaint. However, when the fourth respondent came to the house of the petitioner on 25.01.2017 followed by another visit on 28.01.2017 when the petitioner was not there, the petitioner filed W.P.No.41904 of 2016. In the said Writ Petition the fourth respondent herein filed a counter with the following averments.

"It is submitted that A-1 and A-2 in the above crime filed CrI.P.No.15130/2016 for quashing the above FIR and subsequent to the dismissal of the said CrI.P.No.15130/2016 on 25.10.2016 filed present writ petition alleging that police are interfering, harassing and obstructing the day to day life and liberty of A-1 and others, more particularly on 25.11.2016, 27.11.2016 and 28.11.2016 without due process of law. It is submitted that the said allegations are false, baseless and hence denied. It is submitted that, police are not interfering or harassing the accused more particularly their life and liberty as alleged by the petitioner. It is submitted that there are no merits in the above writ petition and it is liable to be dismissed."

Learned counsel for the petitioner submits that in spite of filing counter as aforesaid, in view of the withdrawal of the earlier Writ Petition, the fourth respondent is continuing his harassment against the petitioner. As on today, there is no evidence of harassment. However, it is needless to observe that if the petitioner is not concerned with any crime, the fourth respondent shall not interfere with the personal life of the

petitioner. If the petitioner's presence is wanted in connection with a crime, due procedure under the Code of Criminal Procedure and Section 41-A of the same shall be followed.

The Writ Petition is, accordingly, disposed of. 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

