

HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.6201 OF 2013

ORDER:

Heard the Assistant Government Pleader (Home) for respondent.

No representation for petitioner.

The petitioner apprehending arrest pursuant to notice issued by Deputy Superintendent of Police, CID, under Sections 91 and 160 of Criminal Procedure Code dated 21.02.2013 in Crime No.24 of 2011, P.S. Tekkali, has filed the instant writ petition.

The petitioner apprehended arrest by CID by servicing notice under Sections 91 and 160. The Deputy Superintendent of Police, CID, Visakhapatnam has sent written instructions and the Assistant Government Pleader places the instructions on record. The operative portion of the instructions reads thus:

"In this tenders six firms namely 1) M/s.Aditya Teja Mechanical Works, Hyderabad 2) M/s.Manikanta Fabricators, Hyderabad 3) M/s.Satyavee Engineering, Srikakulam 4) M/s. Saradhi Engineering Work, Hyderabad (petitioner's firm) 5) M/s.Sri Venkateswara Engineering Works, Tirupathi and 6) M/s.Rashmi Engineering, Hyderabad participated in tender process out of six firms three firms serial No.1 to 3 were awarded Mechanical works in BRR Vamsadhara Project Maintenance Division Narasannapeta and Tekkali by illegal means in conspiracy with the officials of B.R.R.Vamsadhara Project, Srikakulam. In this regard, the representatives of the remaining firms U/s.91 Cr.P.C. and 160 Cr.P.C. were noticed for the purpose of examination as witness. Similarly, the petitioner was also served notice U/s.91 and 160 Cr.P.C. to know whether he participated in the tenders or not and also to know

whether the accused firms' used the petitioners' papers or forged his firms' papers to obtain the work orders without the knowledge of the petitioner. Accordingly, the petitioner attended the office of CID, RCIU, Visakhapatnam on 04.03.2013 at 1100 hrs. His statement U/s 161(3) Cr.P.C. was recorded and in his statement, he stated that he also participated in the tenders as per the advice of one Rama Gopal of M/s. Aditya Teja Mechanical Works, Hyderabad, but he did not get the work order. After examination, the petitioner was allowed to go back from CID office on the afternoon of the same day."

From the above, it is clear that the petitioner responded to the notice, the examination was over and the petitioner was allowed to go. Therefore, the writ petition is filed on mere apprehension. The writ petition fails and accordingly dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

Date:19.04.2017
Sp

S.V.BHATT,J