

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.23525 OF 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, came to be filed seeking to declare the action of the second respondent in interfering with personal life and liberty of the petitioner, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home appearing for respondent Nos.1 and 2. With their consent, the Writ Petition is disposed of at the stage of admission itself. Since this Court is not going into the merits of the case, there is no necessity to issue notice to respondent No.3.

The case of the petitioner is that he purchased the land admeasuring Ac.0.38 guntas in survey Nos.144/A1 and 144/A2 of Hyderguda Village, Rajendranagar Mandal, Ranga Reddy District, from one P.Balraj on 09.06.2017 through a registered sale deed. When the petitioner started clearing the said land for fixing the boundaries, the second respondent, at the instance of the third respondent, called the petitioner to Police Station on 29.06.2017 and directed him, not to enter into the said land. However, the petitioner continued with the cleaning of the property. On that, the third respondent lodged a report before the second respondent alleging trespass against the petitioner, basing on which a case in crime No.1344/2017 was registered against the petitioner for the offences punishable under Sections 447 and 427 IPC. The petitioner surrendered before the VIII Metropolitan Magistrate, Rajendranagar, in connection with said crime and obtained bail.

This action of the second respondent in interfering with the personal life and liberty of the petitioner is the subject matter of challenge in this Writ Petition.

Learned AGP, on instructions, denies the allegations made against the second respondent.

Having regard to the above, the Writ Petition is disposed of directing the respondents-Police not to interfere with the personal life and liberty of the petitioner. However, if they intend to take any action against the petitioner, they shall follow the procedure established under law.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No costs.

17.07.2017
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C. PRAVEEN KUMAR, J

