

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE DR JUSTICE SHAMEEM AKTHER

WRIT APPEAL NO.252 OF 2017

JUDGMENT: {Per the Hon'ble the Acting Chief Justice Ramesh Ranganathan}

Heard Sri R.Sushanth Reddy, learned counsel for the appellant (fourth respondent in the Writ Petition) and the learned Government Pleader for Home. Neither is Smt.D.Padmavathi, learned counsel for the writ petitioner, present nor is there any representation on her behalf though her name is reflected in the cause list.

The order under appeal was passed in WP.No.43419 of 2016 on 15.12.2016 whereby the learned Single Judge, while directing the Investigating Officer to complete investigation and to file a final report without arresting the petitioner, directed that the petitioner should appear before the Investigating Officer and execute a personal bond of Rs.5,000/- with one surety for the like sum each. The Writ Petition was disposed of at the stage of admission without the appellant (fourth respondent in the Writ Petition) either being put on notice or being given an opportunity of being heard. The order under appeal is liable to be, and is accordingly, set aside for violation of principles of natural justice. The Writ Petition No.43419 of 2016 is restored to file.

The Writ Appeal is, accordingly, disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(RAMESH RANGANATHAN, ACJ)

(DR. SHAMEEM AKTHER, J)

6th March 2017
RRB

