

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.5490 OF 2017

ORDER:

This writ petition is filed challenging the registration of crime No.83 of 2016 by the second respondent pursuant to the complaint lodged by the third respondent.

This Court, while issuing notice before admission on 16.02.2017, directed the police to follow due process of law while investigating the case. The learned counsel for the petitioners submits that in spite of the said order, without following due process of law, the first petitioner was arrested on 20.02.2017 and produced before the Court on 25.02.2017. He submitted that when the bail application of the first petitioner was dismissed by the trial Court, he moved this Court and this Court granted bail to the first petitioner. Insofar as petitioners 2 and 3 are concerned, they are not arrested.

In the circumstances, this writ petition is disposed of directing the second respondent to follow due process of law, including Section 41-A of Code of Criminal Procedure, while investigating the crime No.83 of 2016. The petitioners are given liberty to bring it to the notice of the Superintendent of Police, YSR Kadapa District, if the second respondent has acted in arresting the first petitioner without following due process of law, and as and when such application is made, the Superintendent of Police, YSR Kadapa District shall take appropriate action in accordance with law.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions pending, if any, shall also stand closed.

A.RAMALINGESWARA RAO, J

20.04.2017
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