

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.34371 of 2017

ORDER:

This Writ Petition is filed to declare the action of the 3rd respondent in calling the petitioner to the Police Station and thereby threatening him to settle the dues of Mr. Vamsi Krishna to the various creditors as illegal and arbitrary.

The grievance of the petitioner is that in the month of October, 2015, one Vamsi Krishna approached the petitioner with a request to arrange a sum of Rs.50 Lakhs for expansion of his business and accordingly the petitioner arranged Rs.20 lakhs on 16.11.2014 and another Rs.20 Lakhs on 27.01.2016 under security of promissory notes. However, the said Vamsi Krishna filed I.P.No.20 of 2016 on the file of Senior Civil Judge at Gudur, impleading the petitioner as 6th respondent. While the things stood thus, the 3rd respondent has repeatedly been calling the petitioner to the police station and insisting to settle the amounts indebted by Vamsi Krishna. It is further submitted that on 06.10.2017 the 3rd respondent detained the petitioner in the police station for two days and threatened to settle the amounts within a period of 10 days, otherwise a false case would be foisted against him. Hence, the Writ Petition.

Having perused the material on record and having heard the learned counsel for the petitioner and the learned Government Pleader for Home (Andhra Pradesh), since there is no case registered against the petitioner so far, I deem it appropriate to direct the 3rd respondent-Station House Officer, Sullurupeta Police Station not to call the petitioner to the Police Station unless and until he is required in any case registered against him. It is also made clear that the 3rd

respondent shall strictly adhere to the procedure prescribed under Section 41 of Cr.P.C.

Subject to the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J.

Date:16.10.2017

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