

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.37006 of 2017

ORDER:

The accused in FIR No.280/2017 is petitioner and he prays for the following relief:

“.....writ of *mandamus* declaring the action of the respondent Nos.2 & 3 in not conducting the enquiry of the Complaint in FIR No.280/2017 of SHO Arundalpet, Guntur District under Sections 498(a), 420, 406, 307 r/w 34IPC and Sec.3 & 4 of D.P. Act, on the notice of the petitioner dated 18.10.2017 in so far as procuring of video footage of Tollgates to ascertain all the details of whereabouts of petitioner and find out the truth of the complaint and collect the call data of petitioner in which area their phones were used, as being illegal, arbitrary, unjust and unconstitutional.....”

The Assistant Government Pleader for Home submits that the respondents 2 and 3 since have registered the FIR will investigate as required in the matter and this stage of the matter, the directions as prayed for is completely superfluous.

I have perused the record and also apprehension voiced by writ petitioner.

This Court is of the view that as and when the procedure is followed and the petitioner is called upon to station as part of investigation, the petitioner can raise objection as permissible under law, assist and give details as required.

With the above observation, the Writ Petition is disposed of. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 06.11.2017
dv



S. V. BHATT, J

