

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

Writ Petition No.9560 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking a declaration that the action of the 3rd respondent in interfering with the personal liberty of the petitioner and making him sit hours together in the police station even without there being a crime registered against him and only on the basis of confessional statements of A1 & A2 in Crime No.54 of 2018 on the file of Kodad Town Police Station as illegal, arbitrary and violation of the Articles of the Constitution of India and principles of natural justice.

At the hearing, learned counsel for the petitioner would submit that if a direction is given to the police not to call the petitioner repeatedly to the police station and make him sit in the police station unless a crime is registered against him, the ends of justice would be met.

Learned Government Pleader for Home (TG) appearing for the respondents, on written instructions, a copy of which is placed on record, would submit that the petitioner is already an accused in Crime No.221 of 2017, which was registered for the offences punishable under Sections 379 and 109 of IPC & Section 3 of P.D.P.P. Act, on the file of Munagala Police Station of Suryapet District and that the present petitioner is second accused in the said crime.

Having regard to the submissions, the Writ Petition is disposed of directing the respondents not to call the petitioner to the police station in

connection with Crime No.54 of 2018 of Kodad Town Police Station unless he is arraigned, if necessary, as an accused in the said crime. It is needless to state that in the event the police intend to arraign the present petitioner as an accused in the afore-stated crime, they shall follow the procedure established by law.

There shall be no order as to costs.

Miscellaneous petitions, pending if any, shall stand closed.

M. SEETHARAMA MURTI, J

06.04.2018

Note: Issue CC by 07.04.2018.

[B/o]

Vjl

