

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.10246 OF 2018

ORDER:

In this Writ Petition, under Article 226 of the Constitution of India, a declaration was sought against the action of 2nd respondent in calling the petitioner to the police station and making him to sit from morning to evening in the police station as illegal, arbitrary and contrary to the provisions of the Indian Constitution.

2. I have heard the submissions of *Sri Raja Gopallavan Tayi*, learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (TG) appearing for respondent Nos.1 and 2. I have perused the material record.

3. Learned counsel for the petitioner submits that even though no crime has been registered against the petitioner, he is being called to the police station and made to sit in the police station from morning to evening and he is being harassed by the police.

4. Learned Government Pleader for Home (TG), on written instructions, a copy of which is placed on record, would submit that pursuant to the report lodged by the 3rd respondent, a case in Crime No.164 of 2018 was registered against the petitioner by the Station House Officer, Kushaiguda Police Station, Rachakonda Commissionerate, for the offences punishable under Sections 498A and 494 read with 34 I.P.C. and that investigation is taken up.

5. Having regard to the submissions, the Writ Petition is disposed of directing the police officer concerned, who is

investigating into the crime, to follow the guidelines in the Judgment of the Honourable Supreme Court in **Arnesh Kumar v. State of Bihar and another**¹ and also the mandate of law, while investigating into the crime. It is also made clear that the petitioner shall extend co-operation to the Investigating Officer.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

There shall be no order as to costs.

April 04, 2018.
MD



M. SEETHARAMA MURTI, J

¹2014 (2) ALT (Cri.) 457