

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.14736 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner, seeking verbatim the following the relief:

“....to issue an order or direction more particularly one in the nature of writ of mandamus or any other appropriate writ declaring the action of the respondent nos.3 to 6 in coming to the petitioner's residential house from 12.03.2018 to 19.03.2018 and harassing the family members of the petitioner as well as the petitioner by threatening and calling to the police station interfering with personal liberties, is nothing but arbitrary, illegal, null and void and violative of principles of natural justice and also violative of Articles 14, 19 and 21 of the Constitution of India. Consequently, direct the respondent nos.3 to 6 not to harass the petitioner and his family members and not to interfere in the personal liberties and to pass such other order or orders as this Hon'ble Court may deem fit and proper in the interests of justice.”

2. I have heard the submissions of the learned counsel appearing for the petitioner, and of the learned Government Pleader for Home (T.S.) appearing for respondents 1 to 3. I have perused the material record.

3. Though there is no mention about the case in Crime No.124 of 2018 on the file of the Mailardevpally Police Station in the pleadings of the writ petition, it is brought to the notice of this Court by the learned counsel for the petitioner as well as the learned Government Pleader for Home that the petitioner herein is A.4 in the afore-stated crime and that he obtained anticipatory bail order, dated 08.03.2018, in CrI.M.P.No.801 of 2018 in Cr.No.124 of 2018, on the file of the VIII Additional Sessions Judge, Ranga Reddy District at L.B. Nagar.

4. Learned counsel for the petitioner submits that the writ petition is filed making various allegations and seeking the afore-stated relief not knowing the fact that the petitioner is being harassed in connection with the afore-stated crime, and that, therefore, the afore-stated crime is not

referred to in the pleadings of the writ petition. However, he submits that the petitioner is prepared to appear before the police officer concerned along with a copy of the anticipatory bail order and produce the sureties in the event of his arrest in connection with the afore-stated crime and that the petitioner will abide by the conditions imposed in the anticipatory bail order and that, therefore, the police officers concerned may be directed to implement the anticipatory bail order without harassing the petitioner either by coming to his residential house or by calling him to the police station.

5. Learned Government Pleader for Home, on written instructions, dated 24.04.2018, a copy of which is placed on record, would submit that the petitioner is required in connection with the afore-stated crime; that in the pleadings of the writ petition, the petitioner suppressed about the afore-stated crime; that he is taking advantage of the anticipatory bail order in CrI.M.P.No.801 of 2018; and, that he is not cooperating with the Investigating Agency and, therefore, the Investigating Officer is not able to conduct fair and impartial investigation into the crime in accordance with the procedure established by law.

6. Recording the submissions, the Writ Petition is disposed of directing the Station House Officer, Mailardevpally Police Station, the third respondent herein, to enlarge the petitioner on bail in the event of his arrest in the afore-stated crime by following the directions in the anticipatory bail order. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M.SEETHARAMA MURTI, J

Date: 02.05.2018
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