

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.16599 of 2018

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“For the reasons stated in the accompanying affidavit it is therefore prayed that this Hon’ble Court may be pleased to issue a Writ or order more particularly one in the nature of writ of mandamus or an appropriate writ or order declaring the high handed and illegal action of the 3rd respondent in calling the petitioners to the police station without there being any crime pending and directing them to pay Rs. 20,00,000/- to the 4th respondent is illegal, arbitrary and unconstitutional and consequently direct the 3rd respondent not to call the petitioners to the police station without there being any crime pending against them, and pass such other order or orders as this Hon’ble Court may deem fit and proper in the interest of justice.”

2. I have heard the submissions of Sri *L.Koti Reddy*, learned counsel appearing for the petitioners, and of the learned Government Pleader for Home (A.P.), appearing for the respondents 1 to 3. I have perused the material record.

3. At the hearing, learned counsel for the petitioners submits that if a direction is given not to call the petitioners to the Police Station unless a crime is registered against them, the grievance of the petitioners stands redressed. He would also submit that in case, a crime, if any, is registered, the petitioners are prepared to co-operate with the Police Officers and the Police Officers may also be directed to follow the mandate of Section 41-A of the Code of Criminal Procedure, 1973.

4. Learned Government Pleader for Home submits that the writ petition may be disposed of on its merit and that the petitioners may be directed to appear before the Counselling Committee, in the event their presence is required before the said Committee.

5. Recording the submissions, the Writ Petition is disposed of directing the Station House Officer, J.Panguluru Police Station, at Renangivaram Village, Prakasam District/3rd respondent herein, not to call the petitioners to the Police Station unless a crime is registered against them, in accordance with the procedure established by law and unless their presence is required during the course of investigation into any such crime. There shall be no order as to costs.

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

M.SEETHARAMA MURTI, J

Date: 2nd May, 2018

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