

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.24983 OF 2018

ORDER :

This writ petition is filed challenging the action of the respondent No.2 in interfering with the civil disputes pending between the petitioner and 6th respondent.

Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Home produced written instructions stating that basing on the complaint of 6th respondent dated 12.01.2018, a case in Crime No.18/2018 was registered against the petitioner, on the file of SHO, Choutuppal P.S, under Sections 409, 420 IPC and investigation is taken up; and that the petitioner is Accused No.1 in the said crime. It is also stated that during the course of investigation, on 13.03.2018, the respondent police went to Pallipalayam, Tamil Nadu State, where the petitioner is residing and taken him into custody after explaining him the grounds of his arrest; that meanwhile the petitioner's associates 20 in number came to the spot, pushed aside the HC 1544 and PC 2275, and escaped from the place; that later the HC and PC visited Pallipalayam P.S., Namakkal District, Tamilnadu State and lodged a complaint against the accused and his associates; and that petitioner is absconding and his application for anticipatory bail was also dismissed on 21.03.2018.

Sri Vinod Kumar Deshpandey, learned Senior Counsel appearing for the petitioner submits that under the guise of

investigation with regard to crime registered against the petitioner, the respondent police are interfering with the civil disputes of the petitioner and also pressuring the petitioner not to pursue his legal remedies against the 6th respondent and also proceedings under Section 138; and that the respondent police went to the native place of the petitioner and threatening the inmates of the house of the petitioner.

In this case, admittedly, crime is registered against the petitioner and is pending. This Court cannot interdict the investigation to be conducted by the respondent police. It is also stated that the petitioner is pursuing his legal remedies against the 6th respondent. Under the guise of investigation, the respondent police cannot prevent the petitioner in pursuing his legal remedies against the 6th respondent and pressurize him to settle civil disputes with 6th respondent.

With the above direction, this Writ Petition is disposed of. However, this order will not preclude the respondent police from investigating the crime registered against the petitioner. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

24.07.2018
tk.