

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.39111 of 2018

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home for the respondents.

2. The grievance of the petitioner in the present writ petition is that the respondent police authorities are insisting on the petitioner herein to appear before them and to execute the bond under Sections 106, 108, 109 and 110 of the Code of Criminal Procedure. According to the learned counsel for the petitioner, the said course of action as sought to be adopted by the respondent police authorities is totally one without jurisdiction and they cannot insist the petitioner to do so since the executive magistrate is the competent authority to insist upon execution of the said bond under the above said provisions of law.

3. A counter affidavit is filed by the Inspector of Police, Malakajgiri Police Station, Malkajigiri, Hyderabad. Paragraph 3 of the said counter affidavit refers to crime numbers and sections registered against the petitioner herein. It is further stated in the said counter affidavit that the police have opened a History Sheet against the petitioner herein. According to the learned counsel for the petitioner the said action is the subject matter of writ petition No.36052 of 2014 and the same is pending.

4. In paragraph 8 of the counter affidavit it is stated that due to ensuing elections all the offenders who are found to be involved in the previous cases are being produced before the Mandal Executive Magistrate to keep good behaviour in view of opening of history sheet against them. It is further stated during the course of arguments by the learned

Government Pleader that the respondent police authorities are not insisting on the petitioner for execution of bond.

5. In view of the above, by placing on record the above averments made in the counter affidavit and the statement of the learned Government Pleader, the writ petition stands disposed of. As a sequel thereto, miscellaneous petitions, if any, shall stand disposed of. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 12.11.2018





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Dated: 12.11.2018

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