

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.41573 of 2018

ORDER:

Written instructions, dated 19.11.2018, furnished by the Sub-Inspector of Police, Arilova Rural Police Station, Visakhapatnam City, are placed on record by the learned Government Pleader. In the said written instructions, it is stated that when the 3rd respondent tried to secure the presence of the writ petitioner in Cr.No.315 of 2018 to serve notice ups.41-A of Cr.P.C., his whereabouts could not be traced out.

Since it is the grievance of the petitioner herein in the present Writ Petition that the Police authorities are not following the principles laid down by the Hon'ble Supreme Court in respect of issuance of notice under Section 41-A of Cr.P.C., this Court deems it appropriate to dispose of the Writ Petition, directing the petitioner herein to attend before the 3rd respondent/Station House Officer on 21.12.2018 between 10.00 a.m., to 05.00 p.m., for receipt of notice under Section 41-A of Cr.P.C. Otherwise, it is open for the respondent-Police authorities to proceed in accordance with law.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. No order as to costs.

JUSTICE A.V.SESHA SAI

Date:17.12.2018
Smr