

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 3460 of 2019

Date : 20.2.2019

Between:

Syed Wasim Pasha S/o Syed Maqbool Pasha aged 42 years
Occ Business R/o 2-3-130 Ramgopalpet Rajigunj
Secunderabad Hyderabad

Petitioner

And

The State of Telangana
Represented by its Principal Secretary Home Department
Secretariat Hyderabad & others

Respondents

The Court made the following:



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ORAL ORDER:

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

2. Petitioner alleges that he was implicated in Crime No. 355 of 2018 and 4th respondent arrested him on 24.11.2018 and detained him in custody for three days without producing him before the competent Court and only on 27.11.2018 produced him before the Special Executive Magistrate, Hyderabad. Petitioner alleges that respondent-police are harassing the petitioner every day.

3. On 24.11.2018 Mr. K Shiva Kumar, Police Constable No. 4441 Gopalapuram police station complains to Inspector of Police alleging that petitioner is creating nuisance and that he was earlier involved in petty case for creating public nuisance, therefore Petty Case No. 1818 of 2018 under Section 70 (b) CP Act was registered and petitioner was produced before the Special Metropolitan Magistrate at Hyderabad and fine of Rs.50/- was imposed in STC No. 4451 of 2018, therefore, police apprehend that petitioner may create nuisance in the above area. Based on the said complaint, Crime No. 355 of 2018 under Section 107 of Code of Criminal Procedure was registered and report is filed before the Special Executive Magistrate at Hyderabad to bound over the petitioner to maintain peace and public tranquility. Notice under Section 107 of Cr.P.C was issued to petitioner on 27.11.2018 directing him to show cause why he should not be ordered for execution of personal bond for Rs.1,00,000/-.

4. Having regard to the above background of facts, it cannot be said that police are harassing the petitioner. The affidavit filed along with writ petition is silent as to what steps are taken by petitioner after

said notice was issued. In the circumstances, the relief as sought cannot be granted. Accordingly, writ petition is dismissed, leaving it open to petitioner to work out remedies as available in law against registration of petty offences against him and against police reporting to Special Executive Magistrate to bound over the petitioner for good behavior. No costs. Miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE: 20-2-2019
TVK



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