

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.19018 of 2019

ORDER:

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

“to issue an appropriate Writ, Order of Direction more particularly one in the nature of Writ of Mandamus declare the action of the respondent Nos. 5, 6 and 7 herein harassing the petitioner herein mentally and physically by summoning to the police station on 21.08.2015 and subject to physical torture from 5:00 pm to till early in the morning 2:30 am taking forcibly signatures on blank white papers and the respondent No.6 herein threatened to launch false cases if I approach the Honble High Court as being illegal, arbitrary, discriminatory and against the law and violation of Article 21 of the Constitution of India and violation of Rule of Law and it is further declare the action of the respondent No. 5 and 6 herein further summoning to the Task Force, North Zone Office, Hyderabad, to act as an informer / covert to give the information about others as illegal, arbitrary, against the law and further declare the action of the respondent Nos.6 and 7 herein forcibly taking Rs.6 lakhs from the petitioner herein as illegal, arbitrary and consequentially seeking a direction to the respondent Nos. 1 and 2 herein to conduct departmental enquiry by constituting an independent body and submit the report before this Honble Court for appropriate action as per the law.”

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing for respondents 1 to 4.

3. When the matter is taken up for hearing on 30.08.2019, this Court passed the following order:

Petitioner is aggrieved by the action of respondents 5 to 7 in frequently calling to the police station and unnecessary harassing him.

According to learned counsel for the petitioner, petitioner has recently undergone “Bariatric Laparoscopic Surgery” in KIMS and requires rest, whereas due to

harassment of the police, he is unable to take rest and medication.

According to learned Government Pleader for Home, petitioner is known as rowdy sheeter and due to the coming festival season, as matter of precaution, all rowdy sheeters are under watch and only for that purpose, the respondent-police kept a watch on the petitioner. He also submits that NBW is pending execution against the petitioner.

Having regard to the fact that the petitioner has undergone major surgery, the wife of the petitioner is permitted to appear before the Station House Officer, Marredpally Police Station, Secunderabad, on 31.08.2019 at 10:30 A.M., with all the medical record. On verification of the medical record, if the Station House Officer satisfies, he shall not compel the petitioner to come to the police station and shall accordingly inform the same to the Task Force Police Personnel, respondents 5 to 7.

Post on 04.09.2019 in Motion List for obtaining instructions of learned Government Pleader for Home.”

4. Learned counsel for the petitioner would submit that the respondents/police are unnecessarily calling the petitioner to police station and harassing him both physically and mentally. He further submitted that recently the petitioner has undergone major operation; that the petitioner is ready to cooperate with the investigation in respect of the crimes registered against him, but in the name of registration of crimes, the respondent/police, particularly respondents 5 and 7, cannot interfere with the personal life and liberty of the petitioner, without following due process of law.

5. On the other hand, learned Government Pleader for Home would submit that the petitioner is declared as a rowdy-sheeter; that due to Ganesh Immersion in the City as precautionary measures, the respondent/police have called the petitioner to

police station and now the petitioner is not required, however, in future if the petitioner is required in respect of any crime, they would follow due process.

6. Recording the same, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAJASHEKER REDDY, J

18th SEPTEMBER, 2019

YVL



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Date:18.09.2019

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