

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.24599 of 2019

ORDER:

Being aggrieved by the action of the fourth respondent in calling the petitioner to the fourth respondent police station without there being any crime registered against the petitioner, the present writ petition is filed.

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

Learned Assistant Government Pleader for Home, on written instructions, dated 13.11.2019, which is placed on record of this Court, would submit that on the complaint of one Mubeena Begum, a case was registered in Crime No.257 of 2019 for the offences under Sections 420 and 406 of IPC and Sections 4 and 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978, read with Section 34 IPC, on the file of Langerhouse Police Station, on 04.09.2019, wherein the complainant alleged that the accused persons named therein have been running lucky draw scheme illegally and without any valid licence and collecting huge amounts from the members by giving false promises to them. In the said crime, the petitioner herein is arrayed as accused No.1. During the course of investigation, the Investigating Officer served a notice under Section 41-A Cr.P.C. to the accused person on 13.10.2019, but the accused No.1 failed to respond to the notice, as such, he was arrested on 08.11.2019 and sent to judicial custody.

Based on the said written instructions, learned Assistant Government Pleader for Home would further submit that as part of investigation in order to serve notice under Section 41-A Cr.P.C., the

petitioner was called to police station and thus, the averments made in the writ petition are false and frivolous.

Inasmuch as a crime has been registered and the petitioner has been apprehended in connection therewith, the claim made by the petitioner in the present writ petition that he is being called to the police station without any case being registered, cannot be accepted and does not call for any interference by this Court.

The writ petition is accordingly dismissed. Pending miscellaneous petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:15.11.2019

GJ

