

HON'BLE SRI JUSTICE T. VINOD KUMAR

WRIT PETITION NO.26327 OF 2019

ORDER:

This Writ Petition is filed to declare the action of the respondent No.3 in interfering with the civil disputes and pressurizing the petitioner to resolve the civil dispute over the property situated outside the jurisdiction of the State and forcing the petitioner to visit police station under the pretext of investigation in Crime No.189 of 2019 dated 17.05.2019, as without jurisdiction, illegal, arbitrary and violative of personal liberty under Article 21 of the Constitution of India.

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

Learned Assistant Government Pleader for Home submits that a notice under Section 41-A Cr.P.C. has been issued to the petitioner in connection with the investigation in Crime No.89 of 2019 dated 17.05.2019 and whereby the petitioner was called upon to appear before the 3rd respondent on 08.11.2019 and also to comply with the directions mentioned therein.

By placing reliance on the said Section 41-A Cr.P.C, the learned Assistant Government Pleader for Home submits that the petitioner is required to cooperate with the investigation of the case as and when required by the authorities.

Learned Counsel for the petitioner submits that he has already filed a reply to the notice issued under Section 41-A Cr.P.C. on 16.11.2019 and would cooperate with the investigation being carried out by the authorities in the said crime.

Having regard to the said submission on behalf of the petitioner, this Court is of the view that the 3rd respondent authorities shall proceed with investigation into the Crime No.89 of 2019, in accordance with law, except interfering with the life and liberty of the petitioner.

Accordingly, with the above direction, the Writ Petition is disposed of. No order as to costs.

The miscellaneous petitions pending, if any, shall also stand closed.

T. VINOD KUMAR, J

Date: 28.11.2019.

MRKR