

HONOURABLE SRI JUSTICE P. KESHA RAO

WRIT PETITION No.4332 of 2013

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader appearing for the respondents.

The prayer sought in the writ petition is as under:

“... to issue a writ of Mandamus or any other appropriate writ, order or direction declaring the action of the respondents particularly respondent Nos.3 and 4 in demanding to submit to them to take a photograph of petitioner for the purpose of placing the same on the notice board of the police station without their being any pending criminal case against me, as illegal, arbitrary and violative of the fundamental rights guaranteed to us under Part-III of the Constitution of India besides being violative of the constitutional right of personal life and liberty guaranteed under Article 21 of the Constitution of India, and also violative of principles of natural justice etc., and consequently to direct the respondents particularly respondents 3 and 4 not to harass me by frequently summoning me to the police station for the purpose of taking photograph and the eventual display in the notice board.”

The 4th respondent filed a counter affidavit stating that the petitioner was involved in Crime No.61 of 2010 for the offence under Sections 356 and 379 IPC on the file of Palvantha Town Police Station, Khammam District. The said case ended in acquittal on 20.12.2012 before the II Additional Judicial First Class Magistrate, Kothagudem vide C.C.No.374 of 2010. In view of the involvement of the petitioner in the above said crime, to curtail his unlawful activities, a suspect sheet has been opened against him after obtaining permission from the Sub-Divisional Police Officer, Kothagudem vide C.No.124/SDPO.K/2011 dated 13.01.2012. The said suspect sheet was continued and extended till 31.12.2013. As on the date of filing of the counter affidavit no fresh case was registered against the petitioner on the file of the 4th respondent police station. The allegation that the petitioner was pressurized to submit his photograph to place in the notice board

is specifically denied. Except opening of the suspect sheet against the petitioner, the respondent police have not harassed, threatened and interfered with his life and liberty, particularly, by calling him to the police station at any point of time.

In view of the above facts and circumstances, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions, if any, shall also stand dismissed.

Date: 11.11.2019.
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P. KESHAVA RAO, J

