

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

WRIT PETITION No.2828 OF 2020

ORDER:

The present Writ Petition is filed to declare the action of 5th respondent in interfering with petitioners constitutional rights and thereby harassing the petitioners to come to police station on the basis of a case registered in FIR No.25 of 2020 on the file of PS Nirmal Town and threatening to cause an arrest of the petitioners contrary to law declared by the Hon'ble Supreme Court of India, as illegal, arbitrary and unconstitutional.

Heard Sri C. Naresh Reddy, learned Counsel for the petitioner and learned Assistant Government Pleader for Home.

Learned Assistant Government Pleader for Home, on written instructions dated 11.02.2020, submits that a case in Crime No.25 of 2020 was registered under Sections 505, 171-G read with 34 IPC, Section 127-A of Representation of Peoples Act. During the investigation, on the confession of crime by the accused, the petitioners were called to the respondent No.5 police station only for the purpose of investigation to inform him to comply the notice under Section 41-A Cr.P.C. and the respondent authority never called the petitioners at any point of time. It is further stated that the petitioners instead of following the due process of law under Section 41-A Cr.P.C, approached this Court only to gain undue sympathy.

Having regard to the said assertion made on behalf of the respondent authority by the above said written instructions

indicating that the authorities want to adhere to the due process of law by serving a notice under Section 41-A Cr.P.C. to the petitioners herein, no further orders need be passed in the Writ Petition, except observing that the authorities shall act in accordance with law as indicated above.

Subject to the above observation, the Writ Petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

JUSTICE T.VINOD KUMAR

Date: 13.02.2020.

MRKR

