

THE HONOURABLE SMT JUSTICE LALITHA KANNEGANTI

W.P.No.19279 of 2022

ORDER

This writ petition is filed with the following prayer;

“to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the officials of respondents more particularly that of respondent No.3 in demanding the petitioner under threat to handover the original documents belonging to respondent No.4 allegedly handed over by respondent No.5 to the petitioner as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents not to insist the petitioner to handover the original documents of respondent No.4, which was not at all given to the petitioner by respondent No.5”.

2. Learned counsel for the petitioner Mr. J. Srikanth submits that though the petitioner has not involved in any crime, he was called to the police station and made him to sit in the police station for long hours by the respondent-police. He submits that the respondent-police are also harassing the petitioner, who is unconnected with the alleged Cr.No.137 of 2022 for the offences under Sections 420 and 406 IPC registered against respondent No.5 on a private complaint made by respondent No.4 and hence, he has come up with the present writ petition.

3. Learned Assistant Government Pleader for Home, on instructions, submits that a case in Cr.No.137 of 2022 was registered on 25-03-2022 for the offences under Sections 420 and 406 and under

Section 156(3) Cr.P.C., and during the course of investigation, it came to light that respondent No.5 has handed over the original documents to the petitioner herein and as such, the petitioner is required for the purpose of investigation and except for the purpose of investigation, the respondent-police are not harassing the petitioner.

4. Even according to the respondent-police, the petitioner is not an accused in the aforesaid crime. If the presence of the petitioner is required for the purpose of conducting investigation, the respondent-police shall issue an appropriate notice mentioning the time and date, and in accordance with law only, he shall be called to the police station if necessary.

5. With the aforesaid direction, the Writ Petition is disposed of. No order as to costs.

6. Miscellaneous petitions, if any pending in this writ petition, shall stand closed.

1st August, 2022.

sj

SMT LALITHA KANNEGANTI, J