

# **Pulivarthi Sudhakar vs The State Of Andhra Pradesh on 7 December, 2021**

TUESDAY, THE SEVENTH DAY OF DECEMBER ee

TWO THOUSAND AND TWENTY ONE \

:PRESENT: \

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROW

IA No. 1 OF 2021

IN

WP NO: 26571 OF 2021

Between:

Pulivarthi Sudhakar, S/o. Malyadri, aged 35 years, Occ. Business, R/o. H.No.4-3/1-4A, Sk. Vali Street, Chitti Nagar, Vijayawada.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by it's Principal Secretary Home Department, Secretariat, Velagapudi Amaravati, Guntur District.

2. The Director General of Police State of Andhra Pradesh, Mangalagiri, Guntur District

3. The Commissioner of Police, Vijayawada Police Commissionerate, Vijayawada, Krishna District.

The Assistant Commissioner of Police, Vijayawada West Zone, Vijayawada.

The Station House Officer, Il Town Police Station, Kothapeta, Vijayawada.

The Assistant Commissioner of Police, Task Force, Suryaraopet, Vijayawada.

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.. Respondents

Counsel for the Petitioner : Sri K M KRISHNA REDDY

Counsel for the Respondent Nos.1 to 6:GP FOR HOME

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent Nos.5 and 6 not to interfere with the life and personal liberty of the petitioner by calling to the Il Town Police Station, Kothapeta, Vijayawada on every Sunday under the guise of suspect sheet is opened and pending in the 5" respondent Police Station, Pending disposal of WP No. 26571 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show

cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case) The Court made the following ORDER:

"The Suspect Sheet was opened against the petitioner on the basis of certain FIRs that were registered against the petitioner under Sections 41(2) and 110(E) of Cr.P.C. Earlier, it appears that certain cases were registered against the petitioner under the provisions of Food Safety and Standards Act and the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act. The said FIRs were quashed by this Court on petitions filed by the petitioner under Section 482 of Cr.P.C.

Now, the grievance of the writ petitioner is that on the basis of the Suspect Sheet that was opened against the petitioner that the respondents-Police officials are regularly calling the petitioner to the police station unnecessarily and harassing him. It is also his case that the Police are demanding him to appear before them on every Sunday and thereby interfering with his personal liberty.

Even though the aforesaid FIRs are registered against the petitioner, simply because Suspect Sheet is opened against him, the Police are not justified in calling the petitioner to the police station on every Sunday without any necessity and thereby interfere with his personal liberty.

Therefore, in the said facts and circumstances of the case, there shall be interim direction to the respondents-Police officials not to summon the petitioner to the police station unnecessarily without there being any crime registered against him, till the next date of hearing." n "

Sd/-T.Madhavi I ASSISTANT RE ISTRAR ITTRUE COPY// To

1. The Principal Secretary Home Department, Secretariat, State of Andhra Pradesh, Velagapudi Amaravati, Guntur District.
2. The Director General of Police State of Andhra Pradesh, Mangalagiri, Guntur District
3. The Commissioner of Police, Vijayawada Police Commissionerate, Vijayawada, Krishna District.
4. The Assistant Commissioner of Police, Vijayawada West Zone, Vijayawada.
5. The Station House Officer, Il Town Police Station, Kothapeta, Vijayawada.
6. The Assistant Commissioner of Police, Task Force, Suryaraopet, Vijayawada. (1 to 6 By RPAD)
7. One CC to SRI. K M KRISHNA REDDY Advocate [OPUC]

8. Two CCs to GP FOR HOME ,High Court Of Andhra Pradesh. [OUT]

9. One spare copy pr HIGH COURT CMRJ DATED:07/12/2021 POST THE MATTER AFTER FOUR WEEKS. ORDER IA NO.1 OF 2021 IN DIRECTION BS Diy oe .

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