

THE HON'BLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION No.19423 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, seeking to quash the crime in F.I.R. No.74 of 2015 on the file of Vetapalem Police Station, Prakasam District registered for the alleged offences under Sections 353 and 506 of IPC.

Heard Sri T. Ramakoteswara Rao, learned counsel for the petitioner and learned Government Pleader for Home.

On a complaint given by the Head Constable of Karamchedu Police Station, Police, Vetapalem Police Station, Prakasham District registered the present FIR No.74 of 2015. A reading of the complaint, which is placed on record, shows that there are serious allegations against the petitioner herein. Therefore, this Court is of the considered opinion that it is not a case where the jurisdiction of this Court under Article 226 of the Constitution of India can be invoked, seeking quashment of the First Information Report.

In the affidavit filed in support of the writ petition it is stated that under the guise of the complaint the respondents are trying to arrest the petitioner herein without following the procedure contemplated under Section 41-A of Cr.P.C.

In view of the *prima facie* allegations against the petitioner herein, this Court finds no reason to interfere with the matter.

For the aforesaid reasons and having regard to the nature of controversy, the writ petition is dismissed. However, the respondent – police shall follow the due process of law. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

A.V. SESA SAI, J

June 30, 2015

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THE HON'BLE SRI JUSTICE A.V. SESA SAI

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