

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35132 of 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the respondents, more particularly, the second respondent in continuing the investigation against the petitioners though there is no iota of evidence against the petitioners as arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India and consequently to direct the second respondent to drop investigation to the extent of the petitioners herein in crime No.142 of 2016 on the file of the Adoni I Town Police Station, Adoni, Kurnool District.

Heard and perused the material.

Learned counsel for the petitioners submits that the second respondent is harassing the petitioners in the guise of investigation through there is no evidence to show that the petitioners have committed any offence and as such, prays this Court to direct the second respondent to drop the case against the petitioners herein.

Learned Assistant Government Pleader for Home (Andhra Pradesh) submits that the second respondent is conducting investigation and the final report will be filed after completion of the investigation.

Considering the rival submissions made by both the counsel, this Court is not inclined to direct the second respondent to drop the case against the petitioners at the threshold. However, taking into consideration the facts and circumstances of the case, the second respondent is directed to conduct effective investigation without arresting the petitioners and file final report, if any, in accordance with

law. The petitioners are directed to appear before the Police concerned and to execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with one surety each for their future appearance.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

19.10.2016
pln

