

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42737 of 2016

ORDER:

This Writ Petition is filed by the petitioners seeking to declare the action of respondent No.2-Station House Officer, Tekkali Police Station, Srikakulam District, in registering in F.I.R.No.24 of 2011, dated 11.02.2011, for the offences punishable under Sections 420, 120-B, 406, 407, 468 and 471 IPC, as arbitrary and illegal and consequently, to set aside the same.

2. The facts of the case in brief are that the petitioner is working as Executive Engineer, S.G.L.T.B.P Division 2, Rajam, Srikakulam District. Previously he worked as Assistant Executive Engineer, BRR Vamshadhara Project Division-II, Hiramandalam, Srikakulam District. It is stated that one Y.S.Sudhakar, the then Executive Engineer, I & CAD, B.R.R. Vamsadhara Project, lodged a complaint on 09.02.2011 against some of the companies due to shortage/deficiency of material. The petitioner rendered his services in B.R.R. Vamshadhara project under different posts from time to time. Basing on the above crime, the respondent-police are trying to arrest the petitioner.

3. Learned counsel for the petitioner submits that petitioner is no way concerned with the alleged offences and that he is only sub-ordinate to the Executive Engineers and Executive Engineers alone are responsible for the shortage/deficiency of the material; that the crime was registered in the year 2011 and till date the respondent-police not completed investigation and that the petitioner is ready to cooperate with the investigation.

4. Having regard to the facts and circumstances of the case and submissions of the learned counsel for the petitioner and without going into the merits of the case, the Writ Petition is disposed of directing 2nd respondent to complete the investigation in Crime No.24 of 2011 of Tekkali Police Station, Srikakulam District and file a final report, as expeditiously as possible, without arresting the petitioner.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

December 08, 2016.
YVL

RAJA ELANGO, J



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Date:08.12.2016

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