

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42707 of 2016

ORDER:

This Writ Petition is filed by the petitioners seeking to declare the action of the 3rd respondent in registering F.I.R.No.85 of 2016, as arbitrary and illegal and consequently, direct the 3rd respondent to drop investigation in the aforesaid crime.

2. In the affidavit filed in support of the petition, it is stated that due to politics in the village, a false complaint has been lodged against the petitioners and basing on the same, the 3rd respondent-Station House Officer, Holagunda Police Station, Kurnool District is trying to arrest the petitioners.

3. Heard and perused the material available on record.

4. Learned counsel for the petitioners submitted that the entire allegations in the made in the complaint is taken to be true, no offence is made out against the petitioners and that basing on the complaint, the police are trying to arrest the petitioners.

5. The learned Assistant Government Pleader submits that on the basis of the complaint, a case was registered against the petitioners and the respondents are investigating into the matter in accordance with law.

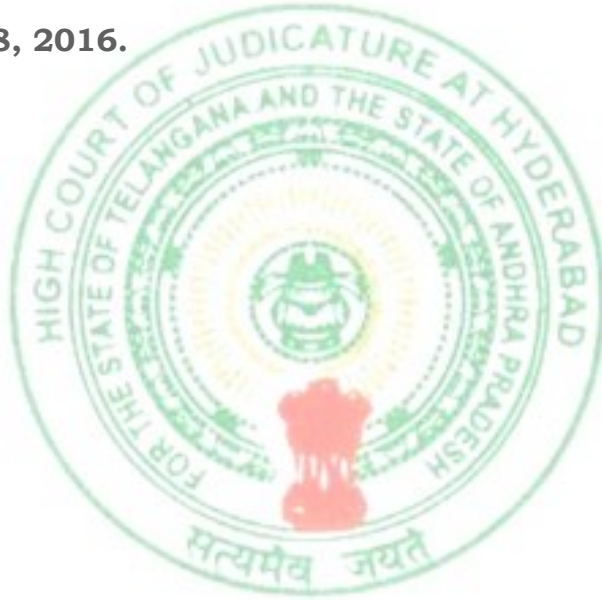
6. The petitioners filed this writ petition challenging registration of the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the facts and circumstances of the case, without going into the merits of the case, this Court is of the view that the

above crime can be investigated into, without arresting the petitioners.

7. Accordingly, the Writ Petition is disposed of directing the 3rd respondent-Station House Officer, Holagunda Police Station, Kurnool District to complete the investigation in the aforesaid crime and file a final report in accordance with law, without arresting the petitioners. Miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

December 08, 2016.
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Date:08.12.2016

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