

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44559 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to call for the records in Crime No.77 of 2016, on the file of the Madikonda Police Station, Warangal District, and to quash the same.

Heard and perused the material available on record.

Respondents 3 & 4 filed a private complaint before the learned Additional Judicial Magistrate of First Class, Warangal, which was referred to the 2nd respondent under Section 156(3) IPC and the 2nd respondent registered the said complaint as Crime No.77 of 2016 for the offences under Sections 419, 420, 323 and 506 IPC read with 34 IPC against the petitioner. It is alleged in the above said complaint that the petitioner, who is A-1 in the above said crime, is working as Technician, Grade-I in the Indian Railways at Kazipet and A-2 is working as Railway Booking Clerk. A-2 promised to provide job with the assistance of A-1, who is having vast contacts with the higher authorities of South Central Railways and with the said promise, respondents 3 & 4 paid Rs.3,00,000/- to the petitioner, but did not secure any job and when respondents 3 & 4 demanded to give back the amount, the petitioner threatened to file false cases under the SCs & STs (POA) Act. The main grievance of the petitioner is that earlier the petitioner lodged a private complaint against respondents 3 & 4 and others when they tried to grab his land and manhandled him and the police registered the same as Crime No.75 of 2016, dated 18.06.2016, for the offences under Sections 120-B, 144, 150, 320,

327, 340, 343, 346, 347, 357, 362, 365, 368, 442, 506 read with 149 IPC and Section 3(x), 2(iv) of the SCs & STs (POA) Act and that the present complaint lodged by respondents 3 & 4 is a counterblast to Crime No.75 of 2016, which is lodged by the petitioner.

Considering the grievance of the petitioner, the 2nd respondent is directed to complete the investigation in Crime No.77 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of the 2nd respondent as surety for his future appearance for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 21st December, 2016

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