

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38725 of 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 2nd respondent in registering Crime No.51 of 2016 for the offences under Sections 420, 486 and 487 IPC and 3 (1) of the Seed Control Orders, as illegal and arbitrary.

Heard and perused the material available on record.

The case in brief is that on reliable information, the 3rd respondent went to Vedagudem village and found one person with one black bag at bus stand on suspicious circumstances and on interrogation, he stated that his owner sent him to sell the spurious mirchi seeds to farmers. Then, the 3rd respondent conducted panchanama and recorded the confession and basing on the same, the above case is registered.

The grievance of the petitioner is that he is no way concerned with the alleged offence and he never involved in selling of spurious mirchi seeds and that basing on the confession of A1 only, he was shown as accused.

The petitioner filed this writ petition challenging the investigation in 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, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance

with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum for his appearance before the investigating officer as and when required for the purpose of investigation.

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

RAJA ELANGO, J

November 10, 2016.
KTL



