

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41993 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to set aside the proceedings in Crime No.99 of 2016 on the file of Mundlamur Town Police Station, Prakasam District against the petitioner.

2. Heard and perused the material available on record.
3. Case of the petitioner is that the *de facto* complainant filed a false complaint against her before respondent No.3 and the same was registered as the aforementioned case for the offence punishable under Section 306 I.P.C.; that the complaint does not contain any incriminating material against her; that she never did any criminal activities and respondent No.3 is trying to arrest her without following the due process of law.
4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.3 is investigating the matter in accordance with law.
5. The deceased is none other than the sister's son of the petitioner. Considering the facts and circumstances of the case and the grievance of the petitioner and in view of the fact that the petitioner is a lady and she is ready to cooperate with the investigation, without expressing any opinion on merits, respondent No.3 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with

law in either way, without arresting the petitioner. The petitioner is directed to appear before respondent No.3 and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for her appearance as and when required for the purpose of investigation.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

7.12.2016
AMD

JUSTICE RAJA ELANGO



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Date: 7.12.2016

AMD