

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41876 OF 2016

ORDER:

The present writ petition is filed seeking to call for the records pertaining to FIR No.242 of 2016 on the file of Kadiri Town Police Station, Anantapur District, and consequently, quash the same.

Heard and perused the material available on record.

The case in brief is that on the complaint lodged by the 3rd respondent, initially, a 'Girl Missing' case was registered and subsequently, the Section of law was altered to Sections 363 and 363(A) r/w.34 IPC, since the girl was found along with A1 and A2, who kidnapped her with an intention to sell her for begging. The grievance of the petitioner is that he has not concerned with the offences alleged against him and that there are no specific overt acts against him, and basing on the alleged confessional statements of A1 and A2 that he helped them in kidnapping the girl, the police added him as A3 and trying to arrest him.

The petitioner filed the present writ petition challenging investigation in the above crime. This Court is not inclined to interfere with the investigation. However, considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the 2nd respondent is directed to complete the investigation in the above crime, and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, and execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum, for his

future appearance before the investigating officer concerned, 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.

December 08, 2016
KTL

RAJA ELANGO, J

