

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36089 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the action of respondent No.2 in registering F.I.R. in Crime No.108 of 2016 of Mahadevpur Police Station, Jayashanker Bhupalapalli District against the petitioner for the offences under Sections 409, 420, 468 and 471 read with 34 I.P.C. though the complaint does not disclose the ingredients of the above said offences and thereby, proceeding with the investigation in the above crime as illegal and arbitrary and consequently, to quash the said F.I.R.

2. Heard and perused the material available on record.
3. Case of the petitioner is that respondent No.3 filed a complaint against him before respondent No.2 and the same was registered as the aforementioned case; that the complaint does not contain any incriminating material against him; that he never did any criminal activities and respondent No.2 is trying to arrest him without following the due process of law and hence, prays to quash the said F.I.R.
4. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondent No.2 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.

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

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

JUSTICE RAJA ELANGO

25.10.2016

Note:-
Furnish C.C. tomorrow.
B/O
AMD



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AMD