

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41719 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the respondents in registering FIR No.125 of 2016 on the file of Shanthinagr Police Station, Mahaboobnagar District, for the offences under Sections 420 of IPC and 7 of Essential Commodities Act, against the petitioner, as illegal and arbitrary and consequently, set aside the same.

Heard and perused the material available on record.

The allegation against the petitioner is that it sold substandard red chilli seeds to the farmers due to which the farmers got huge loss. The case of the petitioner is that the petitioner sold the Hybrid Seeds to various dealers in sealed packages, and that it never sold any substandard seeds and the present case is filed with false allegations.

The main grievance of the petitioner is that the 2nd respondent did not conduct any enquiry and did not issue any notice to him and that he is trying to arrest the petitioner without following due process of law.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioner, and the respondents are investigating into the matter in accordance with law.

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 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 01, 2016.
KTL

RAJA ELANGO, J

