

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37473 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to declare the action of the respondents 3 & 4 in registering Crime No.226 of 2016 against the petitioner and harassing him, as illegal and arbitrary and consequently, direct the respondents 3 & 4 not to arrest the petitioner.

Heard and perused the material available on record.

It is stated in the affidavit that the petitioner is running business in Car A/ C in Shop No.46 in Indira Gandhi Stadium Complex, Vijayawada and that the husband of the 5th respondent also involved in the same business in the neighbouring shop of the petitioner. The allegation against the petitioner is that he threatened the 5th respondent and her husband to close down their business otherwise he will kill them since he has a licensed gun. Therefore, they filed a private complaint against the petitioners.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case and the case and counter cases, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, respondents Nos.2 to 4 are directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner. The petitioner

is also directed to appear before the investigating officer concerned, as and when required and cooperate with the investigation.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

November 02, 2016.
KTL



