

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41716 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the respondents 2 and 3 in registering FIR No.406 of 2016 on the file of II-Town Police Station, Adilabad District, for the offences under Sections 406 and 420 IPC against the petitioners, as illegal and arbitrary and consequently, set aside the same.

Heard and perused the material available on record.

The allegation against the petitioners is that they collected huge amount from the respondents 4 to 6 for providing plots, but failed to provide the plots and did not return the money taken from them.

The main grievance of the petitioners is that the matter is civil in nature and that the petitioners are innocent of the offence alleged against them and that they are not doing any real estate business and with false allegations, the present complaint is filed against them.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners, 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 petitioners, without expressing any opinion on merits, the 3rd 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 petitioners. The petitioners are also directed to appear before the investigating officer concerned and execute a

personal bond for a sum of Rs.5,000/- (Rupees ten thousand only) each with one surety for the like sum each for their 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.

RAJA ELANGO, J

December 01, 2016.
KTL

