

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.33269 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 Nos.3 and 4 in registering a false complaint against petitioner No.2 at the instance of respondent Nos.5 to 9 as illegal and arbitrary and consequently, to direct respondent Nos.3 and 4 not to register a false complaint against petitioner No.2.

2. Heard and perused the material available on record.

3. Grievance of the petitioners is that respondent Nos.3 and 4 filed a false complaint against petitioner No.2 i.e., F.I.R.No.38 of 2016 of Inkollu Police Station, Prakasam District for the offences punishable under Sections 354(b), 506 and 420 I.P.C. and Section 66 of the Information Technology Act; that the complaint does not contain any incriminating material against petitioner No.2; that petitioner No.2 never did any criminal activities and respondent Nos.3 and 4 are trying to arrest him without following the due process of law.

4. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent Nos.3 and 4 are hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting petitioner No.2.

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

27.10.2016
AMD



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