

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35966 OF 2016

ORDER:

This writ petition is filed seeking to quash the proceedings in F.I.R.No.264 of 2016 on the file of Taluk Police Station, Nandyal, Kurnool District against the petitioner.

2. Heard and perused the material available on record.
3. Case of the petitioner is that respondent No.3 filed a false complaint against him and others before respondent No.2 and the same was registered as the aforementioned case for the offences punishable under Sections 468, 471 and 420 read with 34 I.P.C.; that the complaint does not contain any incriminating material against him and respondent No.2 is trying to arrest him without following the due process of law and hence, prays to quash the proceedings in the said crime.
4. After arguing for sometime, learned counsel for the petitioner confined his argument only to the extent of giving a direction to respondent No.2 to follow the procedure under Section 41-A Cr.P.C., if he intends to proceed with the investigation against the petitioner.
5. Considering the facts and circumstances of the case and the submission of the learned counsel for the petitioner, respondent No.2 is hereby directed to follow the procedure as contemplated under Section 41-A Cr.P.C.
6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

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

25.10.2016
AMD

JUSTICE RAJA ELANGO



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Date: 25.10.2016

AMD