

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39446 OF 2016

ORDER:

This writ petition is filed seeking to quash the proceedings in F.I.R.No.97 of 2014 on the file of II Town Police Station, Tirumala, Tirupati, Tirupati Urban, Chittoor District against the petitioners.

2. Heard and perused the material available on record.

3. Case of the petitioners is that respondent No.3 filed a private complaint against them before the II Additional Judicial Magistrate of First Class, Tirupati and the same was referred to the II Town Police, Tirumala for investigation and later, the same was registered as the aforementioned case for the offences punishable under Sections 420, 467, 468, 471 and 506 I.P.C.; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and respondent No.2 is trying to arrest them without following the due process of law.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioners and respondent No.2 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioners and as the petitioners are ready to cooperate with the investigation, without expressing any opinion on merits, respondent No.2 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in

accordance with law in either way, without arresting the petitioners. However, the petitioners shall appear before the investigating officer as and when required for the purpose of investigation.

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.

16.11.2016
AMD

JUSTICE RAJA ELANGO



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AMD