

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39625 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to quash F.I.R.No.84 of 2015 on the file of Gannavaram Police Station, Vijayawada City, Krishna District.

2. Heard and perused the material available on record.
3. Case of the petitioner is that respondent No.3 filed a false complaint against her before respondent No.2 and the same was registered as the aforementioned case for the offences punishable under Sections 406 and 409 I.P.C.; that the complaint does not contain any incriminating material against her; that she never did any criminal activities and respondent No.2 is trying to arrest her 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 petitioner 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 petitioner and in view of the fact that the petitioner is a lady, 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 petitioner. The petitioner is directed to execute a personal bond for a sum of Rs.5,000/-

(Rupees five thousand only) with one surety for the like sum to the satisfaction of respondent No.2 towards surety for her future appearance 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.

JUSTICE RAJA ELANGO

17.11.2016
AMD



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Date: 17.11.2016

AMD