

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38574 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to call for the records relating to FIR No.40 of 2016 on the file of Atlur Police Station, Atlur, YSR Kadapa District, registered for the offences under Sections 379 IPC, 3 of PDPP Act and 3 r/ w.181 and 5 r/ w.180 of MV Act, and consequently, quash the same.

Heard and perused the material available on record.

The allegation against the petitioners is that they involved in transportation of sand illegally from the Sagileru River. The grievance of the petitioner is that they are falsely implicated in the case, and that basing on the confession of other accused only, they are shown accused.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners and others, and that the respondents are investigating into the matter in accordance with law.

The petitioners filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with the investigation, considering the facts and circumstances of the case and the grievance of the petitioners, without going into the merits of the case, the 2nd 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 and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the

like sum each, for their future appearance 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.

November 09, 2016
KTL

RAJA ELANGO, J



