

THE HONOURABLE SRI JUSTICE RAJA ELANGO

W.P.No.40094 of 2016

ORDER

This writ petition under Article 226 of Constitution of India is filed by petitioner seeking to declare the action of 2nd respondent in registering a case in Cr.No.102 of 2016 dated 03.04.2016 against him based on the report of the 3rd respondent, as illegal and arbitrary.

2. Petitioner states that the 3rd respondent took some amount as hand loan from him for his necessities and towards discharge of said amount, he credited part of amount in his account, but he failed to pay the balance amount. He states that in order to avoid payment of balance amount, the 3rd respondent filed a false complaint against him stating that the petitioner took amounts for providing employment to various persons in the Courts and the same was registered as Cr.No.102 of 2016 of IV Town Police Station, Visakhapatnam, for the offences punishable under Sections 417 and 420 IPC and that the police are trying to arrest him. Hence, he filed the present writ petition.

3. Learned counsel for petitioner submits that the petitioner is ready and willing to cooperate with the investigating agency.

4. The learned Assistant Government Pleader submitted that on the basis of complaint, the respondents are investigating into the matter in accordance with law

5. Considering the facts and circumstances of the case, without expressing any opinion on merits, respondents Nos.1 and 2 are directed to complete the investigation in Crime No.102 of 2016 of IV Town Police Station, Visakhapatnam District, and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to

appear before the Station House Officer concerned as and when required and further directed to execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of the Station House Officer concerned, as surety for his future appearance as and when required.

6. With the above direction, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this petition shall stand closed.

19th December, 2016
sj

RAJA ELANGO, J

