

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36020 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the action of respondent Nos.3 and 4 in threatening the petitioners to appear before their police station for settlement of the issue in connection with F.I.R.No.124 of 2016 of Mandapeta Town Police Station, East Godavari District though they have nothing to do with the said crime as illegal and arbitrary and consequently, to direct respondent Nos.3 and 4 not to call the petitioners to their police station in connection with the said crime.

2. Heard and perused the material available on record.
3. Case of the petitioners is that the *de facto* complainant filed a complaint against them before respondent No.4 and the same was registered as the aforementioned case for the offences punishable under Sections 420 and 506 read with 34 I.P.C.; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and respondent Nos.3 and 4 are trying to arrest them without following the due process of law and also threatening them to appear before their police station and hence, prays to give a direction to respondent Nos.3 and 4 not to call the petitioners to the police station and to complete the investigation without arresting them.
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 Nos.3 and 4 are investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent Nos.3 and 4 are 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.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

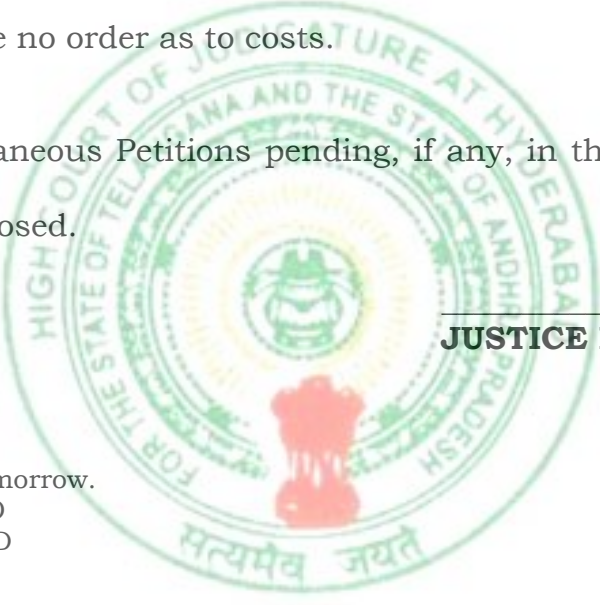
7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

25.10.2016

Note:-

Furnish C.C. tomorrow.

B/O
AMD



JUSTICE RAJA ELANGO

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Date: 25.10.2016

AMD