

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35694 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *certiorari* to call for the records in F.I.R.No.113 of 2016, of Station House Officer, Penumantra Police Station, Penumantra, West Godavari District, dated 06.10.2016, and quash the same against the petitioner.

2. Heard and perused the material available on record.

3. Learned counsel for the petitioner submits that respondent No.5 filed a complaint against the petitioner for the offences punishable under Sections 323, 354 (B), 506 and 509 IPC and Section 3 (1) (r) (s), 3 (1) (w) (i) and 3 (2) (b) (va) of SC & ST (POC) Amendment Act, 2015; that there are petty disputes between the petitioner and respondent No.5 and in that connection the present complaint is lodged and in connection with the said crime, respondent No.4 is trying to arrest the petitioner without following the due process of law and hence, prays to quash the said F.I.R.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the complaint made by respondent No.5, the aforesaid crime was registered against the petitioner and respondent No.4 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondent No.4 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 appear before the Investigating Agency as and when required and cooperate with the 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.

OCTOBER 24, 2016
YVL

JUSTICE RAJA ELANGO



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.35694 OF 2016

Date: 24.10.2016

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