

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No:34696 OF 2016

ORDER:

1. The present writ petition is filed by the petitioners seeking to declare the action of the respondents 3 & 4 in trying to arrest the petitioner, without following due process of law in connection with Crime No.65 of 2016 of Nandalur Police Station, YSR Kadapa District as illegal and arbitrary and consequently, to direct the respondents 3 & 4 not to investigate into the matter and not to arrest the petitioners, without following due process of law.

2. It is stated in the affidavit that the 5th respondent is the 1st petitioner's elder sister's son and that his mother committed suicide on 23.6.2016 by pouring kerosene due to the disputes with his son i.e. 5th respondent and on the complaint lodged by 5th respondent, the respondents 3 & 4 registered a case in Crime No.65 of 2016 for the offences under Sections 404, 406 r/w 34 IPC. It is stated that the complaint does not contain any incriminating material and that the petitioners never did any criminal activities and that the respondents 3 & 4 are trying to arrest the petitioners, without following due process of law.

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

4. The main grievance of the petitioners is that the respondents 3 & 4 did not conduct any enquiry and did not issue any notice to

them and that they are trying to arrest the petitioners without following due process of law.

5. Considering the facts and circumstances of the case and considering the relationship between the petitioners and 5th respondent, without expressing any opinion on merits, respondents Nos.3 & 4 are directed to complete the investigation in Crime No.65 of 2016 of Nandalur Police Station, YSR Kadapa District, 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. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.



JUSTICE RAJA ELANGO

17th October, 2016
Tsr

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17/10/2016

Tsr.