

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37574 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to quash the proceedings in Crime No.445 of 2016 on the file of Station House Officer, Muvvalavanipalem Police Station, Visakhapatnam District as against the petitioners.

The case of the petitioners is that they being the Editor and Reporter of Vizag Leader Daily Newspaper went to Chaitanya Nagar on 19.10.2016 to coverage the illegal construction of apartment and while they were capturing the photographs of construction, the husband of 3rd respondent herein along with others prevented them and beat them indiscriminately. On the complaint lodged by the petitioners, a case in Crime No.444 of 2016 was registered against the husband of 3rd respondent and others for the offence under Section 324 r/w 34 IPC. On coming to know the said registration of case, the 3rd respondent as a counterblast, lodged the present case i.e. Crime No.445 of 2016 with false allegations for the offences under Sections 354, 354-C, 448, 509 r/w 34 IPC.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 3rd respondent, the 2nd respondent registered the present crime in accordance with law.

Now, the learned counsel for the petitioners submits that the petitioners are ready to cooperate for the investigation, but, however, they are apprehending arrest and harassment in the hands of 2nd respondent-police.

Admittedly, there is a case and counter-case between the petitioners and the 3rd respondent and the present crime is subsequent in nature. Considering the same, the 2nd respondent is directed to complete the investigation in Crime No.445 of 2016 without arresting the petitioners and file a final report, if any, in accordance with law. The petitioners are directed to appear before the 2nd respondent-police as and when required during the course of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

21.11.2016.
Tsr



RAJA ELANGO,J

