

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37884 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 No.2 for including the name of the petitioner as accused No.3 in Crime No.129 of 2014 on the file of Chaitanyapuri Police Station, Cyberabad, Ranga Reddy District as illegal and arbitrary and consequently, to direct respondent No.2 to delete the petitioner's name as accused No.3 from the said crime.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.3 filed a false complaint against him before respondent No.2 and the same was registered as the aforementioned crime for the offences punishable under Sections 409, 420, 467 and 120-B I.P.C.; that the complaint does not contain any incriminating material; that he never did any criminal activities and respondent No.2 is trying to arrest him without following the due process of law.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.2 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.2 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. However, the petitioner shall appear before the investigating officer as and when required for the purpose of 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.

JUSTICE RAJA ELANGO

4.11.2016
AMD



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