

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36081 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 F.I.R.No.133 of 2016, dated 26.8.2016, on the file of Kammarapally Police Station, Nizamabad as illegal and arbitrary and consequently, to quash the said F.I.R.

2. Heard and perused the material available on record.

3. Case of the petitioners is that respondent No.4 filed a complaint against them before respondent No.3 and the same was registered as the aforementioned F.I.R. for the offences punishable under Sections 290 and 323 I.P.C. and Sections 3(1)(r)(s)[(za(c))] of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2016; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and respondent No.3 is trying to arrest them without following the due process of law and hence, prays to quash the said F.I.R.

4. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent No.3 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 petitioners.

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

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

JUSTICE RAJA ELANGO

25.10.2016

Note:-
Furnish C.C. tomorrow.
B/O
AMD



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Date: 25.10.2016

AMD