

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37496 of 2016

ORDER

This writ petition is filed by the petitioners seeking to call for records in connection with Cr.No.176 of 2016 on the file of the 2nd respondent registered on the complaint of the 3rd respondent and to quash the same.

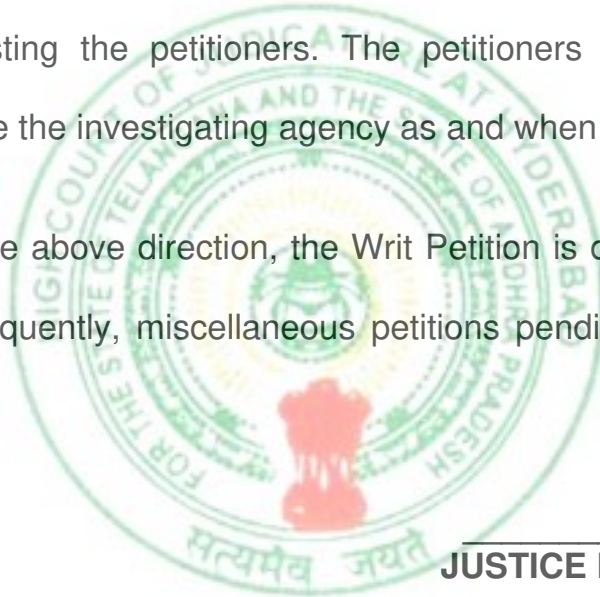
2. It is stated in the affidavit that the 3rd respondent lodged a complaint alleging that the petitioners and others had induced him to purchase the mirchi seed CS-333 stating that it would give more yield than earlier and accordingly, he purchased the seeds at higher rate, but they did not get any yield as stated, thereby cheated him and also other ryoths who purchased the seeds. Based on the said complaint, the 2nd respondent registered a case in Cr.No.176 of 2016 for the offence punishable under Section 420 IPC read with Section 120B IPC and under Sections 19(1)(a) and 21 of the Seeds Act against the petitioners and others. It is stated that due to political influence, the petitioners were implicated falsely and that the 2nd respondent is trying to arrest the petitioners without following due process of law.

3. The learned Assistant Government Pleader submitted that on the basis of 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 petitioners is that the 2nd respondent did not conduct any enquiry and did not issue any notice to them and that he is trying to arrest them without following due process of law.

5. Considering the facts and circumstances of the case and in view of the grievance of petitioners, without expressing any opinion on merits, respondents Nos.1 and 2 are directed to complete the investigation in Crime No.176 of 2016 of Wyra Police Station, Khammam District, and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the investigating agency as and when required.

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

2nd November, 2016

sj



HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No:34584 OF 2016



17/10/2016

Nn.