

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39371 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 3rd respondent in registering crime in FIR No.203 of 2016, as illegal and arbitrary and consequently to set aside the same.

Heard and perused the material available on record.

The case of the petitioners is that the 4th respondent lodged the present complaint against the petitioners alleging that on 05.11.2016, while one Narasimha Reddy was constructing wall, when the 4th respondent questioned the petitioners as to why they are constructing the wall in the land of 4th respondent, then the petitioners scolded the 4th respondent and others and attacked them and one Narasimha Reddy beat the 4th respondent with iron rod, then the petitioners beat the 4th respondent indiscriminately on his back, due to which he sustained injuries, and immediately the 4th respondent was sent to the hospital and later, he lodged the present complaint against the petitioners, basing on which the 3rd respondent registered the same as FIR No.203 of 2016, for the offences under Sections 147, 148, 324 & 307 read with 149 IPC.

Learned counsel for the petitioners submitted that the present case is foisted as a counter blast to the Crime No.202 of 2016, dated 06.11.2016, under Sections 147, 148, 324 & 307 read with 149 IPC and that the 4th respondent is also discharged from the hospital and that the petitioners are not having any bad antecedents.

Considering the facts and circumstances of the case and the submissions of the learned counsel for the petitioners, the 3rd respondent is directed to complete the investigation in FIR No.203 of 2016 as expeditiously as possible and file a final report, if any, either way in

accordance with law, without arresting the petitioners. The petitioner is further directed to execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety to the satisfaction of the 3rd respondent as surety for his future appearance for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 7th December, 2016

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