

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43628 of 2016

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to declare the action of the 2nd respondent in registering the FIR No.145 of 2016, dated 01.12.2016, as illegal and arbitrary.

Heard and perused the material available on record.

The 3rd respondent lodged the present complaint against the petitioners alleging that on 29.11.2016 at 17.00 hours at Moteraopeta, Korlamandal Village of Vissannpet Mandal, one Nuka Lokeswara Rao, who is A-1 in the above said crime and petitioners, who are A-2 & A-3 in the above said crime, along with A-4 criminally trespassed into the mango garden of the 3rd respondent and outraged her modesty and threatened her with dire consequences due to land disputes pending between the 3rd respondent and the accused. Basing on the said complaint, the 2nd respondent registered the same as FIR No.145 of 2016 for the offences under Sections 447, 354, 506 read with 34 IPC. The main grievance of the petitioners is that the 2nd respondent is threatening the petitioners to arrest and under the guise of threat of arrest, the 2nd respondent, with the instigation of the 3rd respondent, is trying to settle the civil disputes pending between the petitioners and the 3rd respondent.

Considering the grievance of the petitioners, the 2nd respondent is directed to complete the investigation in FIR No.145 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the

petitioners. The petitioners are directed to execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety each to the satisfaction of the 2nd respondent as surety for their future appearance for the purpose of investigation.

With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 15th December, 2016

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