

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35179 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of Certiorari to call for the records pertaining to F.I.R.No.299 of 2016, which is registered on the file of the second respondent, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner has lodged a complaint against one Kondaiah, who is the uncle of third respondent and that the said case is pending investigation. As a counter case to the said complaint, a false case has been foisted against the petitioner herein by the third respondent without any valid allegations, and as such, prays this Court to quash the F.I.R.No.299 of 2016.

Considering the facts and circumstances of the case, this Court is not inclined to interfere with the investigation by invoking Article 226 of the Constitution of India. However, considering the fact that it is a case and case in counter, the second respondent is directed to conduct effective investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioners are directed to appear before the Police concerned as and when required for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

19.10.2016
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