

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36381 OF 2016

ORDER:

The present writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking to issue a writ of mandamus declaring the action of the 2nd respondent in seeking to implicate the petitioner in FIR No.144 of 2016, and consequently direct the 2nd respondent not to arrest the petitioner in connection with the above case.

Heard and perused the material available on record.

On the complaint lodged by one Dr.G. Ramya, Medical Officer, Government Hospital, Koheer, Medak District, stating that on 20.08.2016, some persons, who were injured in an accident, were brought to the hospital and at the time, the staff nurse and other are present and the duty doctor was not available and then the persons, who came along with the injured, destroyed the glasses of hospital doors and windows, the 2nd respondent registered the above case.

The grievance of the petitioner is that the police are trying to implicate him in the said case, even though he did not participate in the alleged incident, since he is a social worker and participate in the local issues for justice, and therefore, he apprehends arrest and harassment in the hands of police.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against unknown persons, and the respondents are investigating into the matter in accordance with law.

Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the 2nd respondent is directed to complete the investigation in Crime No.144 of 2016, and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, as and when required for the purpose of investigation.

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

October 27, 2016
KTL



RAJA ELANGO, J