

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.42797 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* declaring the action of the 3rd respondent in registering the crime No.85 of 2015, dated 31-03-2015, under Sections 354(b) and 504 I.P.C. on the file of the Mahabubnagar II Town Police Station, Mahabubnagar District, Telangana against the petitioner as accused basing on false complaint filed by the 4th respondent, as illegal and arbitrary and consequently, stay the proceedings in crime No.85 of 2015, including the arrest of the petitioner.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

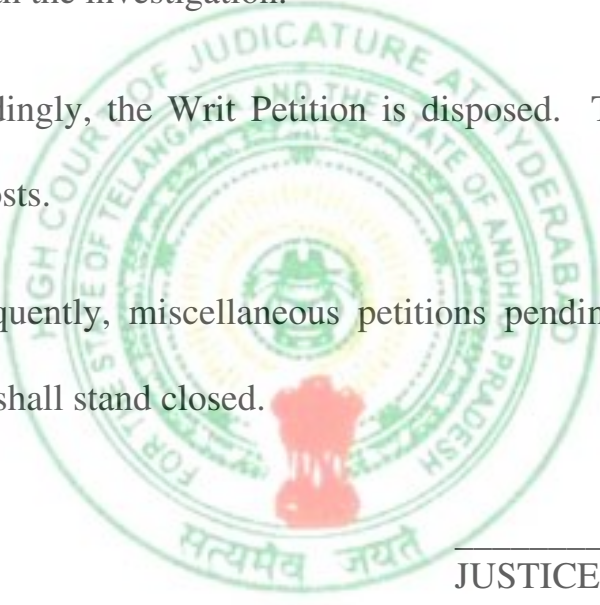
The alleged occurrence took place on 30-03-2015. So far, the respondent-police have not arrested the petitioner. The learned counsel for the petitioner submitted that the petitioner is ready to cooperate with the investigation and appear before the Respondent-Police for further investigation.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner, this Court is not inclined to interfere with the proceedings against the petitioner. However, in view of the submission of the learned counsel for the petitioner, this Court directs the Police concerned to complete the investigation without arresting the petitioner and file the final report in accordance with law. The petitioner is also directed to appear before the investigating officer concerned, as and when required, and cooperate with the investigation.

Accordingly, the Writ Petition is disposed. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, in the writ petition shall stand closed.

08th December, 2016
skmr

JUSTICE RAJA ELANGO