

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36907 of 2016

ORDER

This writ petition is filed by the petitioner seeking to declare the action of the 3rd respondent in registering the FIR in Crime No.30 of 2016 dated 09.02.2016 of Mangalhat Police Station, Hyderabad District, as illegal and arbitrary.

2. It is stated in the affidavit that the 4th respondent, who is working as Sub-Inspector of Police, lodged a complaint against the petitioner alleging that on 09.02.2016, while he was on duty, the petitioner dashed him with his motorcycle and fled away from the said place. Based on the said complaint, the 3rd respondent registered a case in Cr.No.30 of 2016 for the offence punishable under Section 353 IPC against the petitioner. It is stated that due to political influence, the petitioner was implicated falsely and that the 3rd respondent is trying to arrest the petitioner, without following due process of law.

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

4. The main grievance of petitioner is that the 3rd respondent did not conduct any enquiry and did not issue any notice to him and that he is trying to arrest him without following due process of law.

5. Considering the facts and circumstances of the case and in view of the grievance of petitioner, without expressing any opinion on merits, respondents Nos.1 to 3 are directed to complete the investigation in Crime No.30 of 2016 of Mangalhat Police Station, Hyderabad District, and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the investigating agency as and when required.

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

JUSTICE RAJA ELANGO

31st October, 2016

sj



