

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42072 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to quash the proceedings in Crime No.248 of 2016 on the file of Alipiri Police Station, Tirupathi Urban, Chittoor District.

2. Heard and perused the material available on record.
3. Case of the petitioner is that respondent No.4 filed a false complaint against him before respondent No.3 and the same was registered as the aforementioned case for the offences punishable under Sections 147, 148, 452, 427, 323, 324, 506, 509 and 379 read with 149 I.P.C., that the complaint does not contain any incriminating material against him; that he never did any criminal activities and respondent No.3 is trying to arrest him without following the due process of law.
4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.3 is investigating the matter in accordance with law.
5. Considering the facts and circumstances of the case and the grievance of the petitioner and in view of the fact that the case arose out of financial transactions between the parties, without expressing any opinion on merits, respondent No.3 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way,

without arresting the petitioner. The petitioner shall report before respondent No.3 everyday between 10:00 A.M. and 5:00 P.M. for a period of ten (10) days. Further, he shall execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum for his appearance as and when required for the purpose of investigation.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

5.12.2016
AMD



JUSTICE RAJA ELANGO

THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.42072 OF 2016

Date: 5.12.2016

AMD