

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37437 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the respondents in registering FIR No.169 of 2016 on the file of Town Police Station, Nuzvid, Krishna District, against them for the offences punishable under Sections 307 IPC and 3 (1) (r)(s), 3 (2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act'), on the complaint lodged by the 4th respondent, as illegal and arbitrary.

Heard and perused the material available on record.

The case in brief is that one Konda (A1 in the crime) attacked the 4th respondent and beat him with deadly weapons with an intention to kill him.

The grievance of the petitioners is that the main allegations are against A1 only and in the complaint also the petitioners' names are not mentioned, but subsequently, after arresting A1, the police added the names of the petitioners and are trying to arrest them.

Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the facts and circumstances of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, respondents Nos.2 and 3 are directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned,

as and when required, and cooperate with the investigation. In case, the charge sheet is filed before the Court concerned, and summons are received by the petitioners, they shall appear before the Court concerned and execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for their future appearance.

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

November 02, 2016.
KTL

RAJA ELANGO, J



