HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45798 of 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the 2nd respondent in interfering with the petitioners' business of manufacturing and marketing of bio-products at the instance of the 3rd respondent, as arbitrary and illegal and consequently, direct the 2nd respondent not to interfere with the petitioners business.

Heard and perused the material available on record.

It is the case of the petitioners that the Director of Agriculture, Guntur, issued a notice to them and they submitted their explanation. But, no opportunity was given to them to submit their objections on the analysis report.

Learned counsel for the petitioners submitted that a case in Crime No.96 of 2016 on the file of Muppala Police Station, Guntur District, was registered against the petitioners alleging that the petitioners cheated the farmers by supplying the bio products, which contain the residue pesticides, without following the procedure and that the 2nd respondent, at the instigation of the 3rd respondent is interfering with the business of the petitioners.

Taking into consideration the circumstances of the case, and the grievance of the petitioners, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in either way, in Crime No.96 of 2016

on the file of Muppala Police Station, Guntur District, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their future appearance before the investigating officer as and when required for the purpose of investigation.

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

RAJA ELANGO, J

December 27, 2016.
KTL

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते