

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46260 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in FIR No.24 of 2011 on the file of Tekkali Police Station, Srikakulam District.
2. Heard and perused the material available on record.
3. It is the case of the petitioner that the de facto complainant filed a false complaint against him before the 2nd respondent and the same was registered as the aforementioned case for the offences punishable under Sections 420, 120-B, 406, 407, 468 and 471 r/w 34 IPC and that the complaint does not contain any incriminating material and that the petitioner never did any criminal activities and that respondent No.2 is trying to arrest him without following 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 that the 2nd respondent is investigating into 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 petitioner is ready to co-operate with the investigation, without expressing any opinion on merits, respondent No.2 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 is directed to appear before respondent No.2 and execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with

one surety for the like sum to the satisfaction of the 2nd respondent, as surety for his future appearance as and when required for the purpose of investigation.

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

RAJA ELANGO, J

Date: 29th December, 2016
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