

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43854 OF 2016

ORDER:

This writ petition is filed to call for the records pertaining to Crime No.146 of 2016 of Nandivargam Police Station, Kurnool District and quash the same.

2. Heard and perused the material available on record.

3. Case of the petitioners is that respondent No.5 filed a private complaint against them before the Junior Civil Judge, Banaganapalli and the same was forwarded to Nandivargam Police Station for investigation and later, the same was registered as the aforementioned crime for the offences punishable under Sections 447, 427, 506 and 509 IPC and Section 3(1)(X) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989; that the complaint does not contain any incriminating material; that they never did any criminal activities and respondent No.4 is trying to arrest them 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 petitioners and respondent No.4 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent No.4 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in

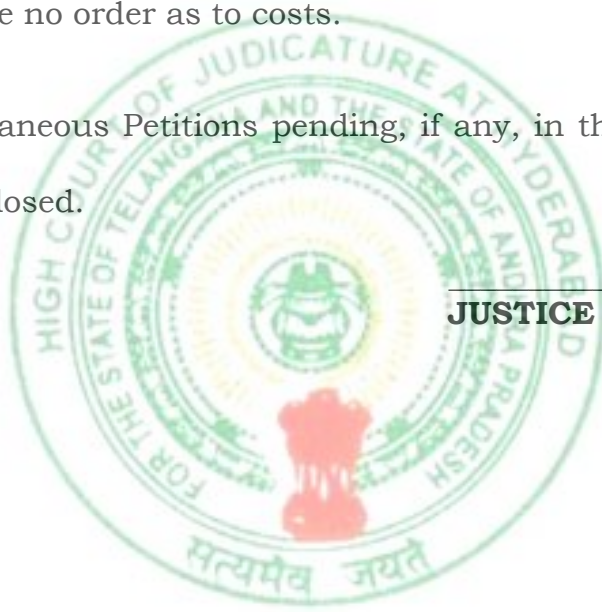
accordance with law in either way, without arresting the petitioners. However, the petitioners shall appear before the investigating officer as and when required for the purpose of investigation. In case any charge sheet is filed and summons are received by the petitioners, they shall appear before the Court concerned and execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their future appearance.

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.

16.12.2016
YVL

JUSTICE RAJA ELANGO



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Date: 16.12.2016

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