

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43935 of 2016

ORDER:

This writ petition is filed seeking to declare the action of respondents 3 & 4, who are harassing the petitioner without proper enquiry in Crime No.95 of 2016 and trying to arrest the petitioner, as illegal and arbitrary and consequently to quash the proceedings in Crime No.95 of 2016.

Heard and perused the material available on record.

The case of the petitioner is that the 5th respondent, who is the Sub-Divisional Magistrate & Revenue Divisional Officer, Ongole, lodged the present complaint against the petitioner alleging that the petitioner, the then Tahsildar, Kothapatnam and others tampered the revenue records for the purpose of cheating and illegally transferred the Government/institution lands to 14 persons for an extent of Ac. 124.00 cents in the limits of Alluru Kothapatnam Village of Kothapatnam Mandal by using tampered records and cheated the Government. The main grievance of the petitioner is that respondents 3 & 4 are harassing the petitioner and trying to arrest the petitioner without following the due process of law.

Learned counsel for the petitioner submitted that the petitioner is ready to co-operate with the investigation.

Considering the grievance of the petitioner and the submission of the learned counsel for the petitioner, respondents 3 & 4 are directed to complete the investigation in Crime No.95 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner.

The petitioner is directed to report before respondents 3 & 4 daily between 10.00 a.m. and 5.00 p.m. for a period of ten (10) days. The petitioner is further directed to execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of respondents 3 & 4 as surety for his future appearance for the purpose of investigation.

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: 16th December, 2016

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