

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36624 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to declare the action of the 3rd respondent in registering Crime No.154 of 2016 against him, as illegal and arbitrary, and consequently set aside the same.

On the complaint made by the 4th respondent stating that the sand was transporting illegally from Loyapally village, the 3rd respondent registered the above case against A1, and during the course of investigation, the 3rd respondent arrested the accused and seized the tractor. On confession, A1 stated that on the instigation of the petitioner, he is transporting the sand without permission.

The main grievance of the petitioner is that initially his name was not mentioned in the FIR and subsequently in the remand report, he was shown as A2 and that he is no way concerned with the said offence and he is not the lorry owner and he never involved in illegal transportation of the sand and that he was falsely implicated in the case.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioner and another, and the respondents are investigating into the matter in accordance with law.

Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondents Nos.2 and 3 are directed to complete the investigation in Crime No.154 of 2016 of Manchal Police Station, Panga Reddy District,

and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is also directed to appear before the investigation officer concerned, as and when required 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

October 28, 2016
KTL



HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No:34584 OF 2016



17/10/2016

Nh.