

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.42176 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* to declare the action of the 2nd respondent in registering the F.I.R. No.562 of 2016, dated 23-11-2016 on the file of Bhavanipuram Police Station, Vijayawada for the offences punishable under Section 143, 454, 455, 385, 440 and 506 read with Section 149 I.P.C. as illegal and arbitrary and consequently set aside the same.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner, this Court is not inclined to interfere with the proceedings against the petitioner.

However, in view of the submissions of the learned counsel for the petitioner and as the matter is arising out of civil dispute, this Court directs the Police concerned to complete the investigation without arresting the petitioner and file the final report in accordance with law. The petitioner is directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five thousand only) with one surety for a like sum to the satisfaction of the Investigating Officer for his future appearance as and when required by the investigating agency for the purpose of investigation

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

19th December, 2016

skmr

