

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36511 of 2016

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India to call for the records in connection with Crime No.157 of 2016 on the file of the Bapatla Town Police Station, Bapatla, Guntur District, registered against the petitioners and quash the same.

Heard and perused the material available on record.

The case in brief is that the 4th respondent made a complaint before the 3rd respondent stating that while he is returning home, along with his friend, and reached near the Mini Hindustan Hotel, the petitioners along with some others abused them, beat them with hands and kicked them with legs and caused bleeding injuries, due to some previous grudge.

Learned counsel for the petitioners submits that the petitioners are innocent of the offences alleged against them, and actually, the petitioners are followers of a political party and due to political rivalry, the present case is foisted against them and that the petitioners 2 and 3 are students, and they are apprehending arrest and harassment in the hands of police.

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

Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the facts and

circumstances of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, respondents Nos.2 and 3 are directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned, as and when required, and cooperate with the investigation.

With the above directions, the Writ Petition is disposed of. No order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

October 28, 2016.
KTL



RAJA ELANGO, J

