

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34477 of 2016

ORDER:

1. This writ petition is filed seeking to issue a Writ of Mandamus declaring the action of the 2nd and 3rd respondents in calling the petitioners to the Police Station in connection with Crime No.216 of 2016 on the file of Mellacheruvu Police Station, Nalgonda District, without issuing any notice and without following the procedure, as illegal and arbitrary, and consequently, to direct the above respondents not to arrest the petitioners in connection with the above crime.

2. Heard and perused the material available on record.

3. The 1st petitioner is the wife of the 2nd petitioner. The 4th respondent lodged a complaint stating that the petitioners claimed Kalyana Lakshmi funds with fake and created documents. The grievance of the petitioners is that the complaint is vague in nature and that the police are calling them to the police station and harassing them, without following due process of law and therefore, respondents Nos.2 and 3 may be directed to follow the procedure in accordance with law while investigating into the matter.

4. Learned Assistant Government Pleader for Home submitted that basing on the complaint, the above crime was registered against the petitioners and that respondents Nos.2 and 3 are acting in accordance with law.

5. Considering the circumstances of the case, without expressing any opinion on merits, the Writ Petition is disposed of with the following direction:

“Respondents Nos.2 and 3 are directed to follow the procedure while investigating into the above crime and file a final report in either way, in accordance with law, without harassing the petitioners.”

There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

Date: 17th October, 2016

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