

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41822 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari calling for the records pertaining to F.I.R.No.164 of 2016 registered for the offences under Sections 420, 468, 471 IPC read with Section 8 of the A.P.Public Examinations (Prevention of Malpractices) Act and declare the same as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner has changed the answer sheet and submitted the changed answer sheet to the Invigilator. He further submits that the petitioner has been falsely implicated in the present crime and that he has not committed any offence. He further submits that the petitioner attended the examination on 07.11.2016 and that the complaint is lodged on 17.11.2016 with a delay of ten days, which is not properly explained. Hence, he prays this Court to quash the proceedings against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioner at the threshold. However, taking into consideration the fact that there is an inordinate delay in lodging the complaint, the second respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the second respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance as and when required for the purpose of investigation.

.The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

01.12.2016
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