

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36399 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed by the petitioner to declare the action of the 4th respondent – Station House Officer, Kodad Rural Police Station, Suryapet District, in registering FIR No.313 of 2016 against the petitioner.

Heard and perused the material available on record.

The case in brief is that the 5th respondent lodged a complaint before the 4th respondent against the petitioner alleging that she is working as a labourer in the agricultural fields of the petitioner and her husband died and that the petitioner used to maintain physical relationship with her. It is further stated that the petitioner took her to Hyderabad and tied Mangalasutram in her neck at Birla Mandir, and kept her in her home and used to visit her home. When the 5th respondent fell sick, she made a phone call to the petitioner then, he asked her why she made phone call to him and abused her in filthy language in the name of her caste.

Learned counsel for the petitioner submitted that the petitioner is no way concerned with the allegations made by the 5th respondent and he never married her and that the petitioner had disputes with the village Sarpanch, who belongs to the same caste of the 5th respondent, and in collusion with the said Sarpanch, she lodged the present complaint against the petitioner with false allegations and that the petitioner is ready to cooperate with the investigation.

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

Considering the facts and circumstances of the case and the submissions of the learned counsel for the petitioner, without expressing any opinion on merits, the 4th respondent is directed to complete the investigation in Crime No.313 of 2016 of Kodad Rural Police Station, Suryapet 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 investigating officer as and when required and cooperate with the investigation.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

October 27, 2016.
KTL

RAJA ELANGO, J