

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.35925 OF 2016**

**ORDER:**

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of mandamus to declare the action of respondent No.3 in registering Crime No.208 of 2016, dated 3.10.2016, on the file of Alipiri Police Station, Tirupathi Urban, Chittoor District as illegal and arbitrary and consequently, to quash the said crime.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.4 filed a complaint against him before respondent No.3 and the same was registered as the aforementioned case for the offences punishable under Sections 323 and 506 I.P.C. and Section 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act; that the complaint does not contain any incriminating material against him; that he never did any criminal activities and respondent No.3 is trying to arrest him without following the due process of law and hence, prays to quash the said crime.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and others and respondent No.3 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on

merits, respondent No.3 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

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**JUSTICE RAJA ELANGO**

25.10.2016

**Note:-**

Furnish C.C. tomorrow.

B/O

AMD



**THE HONOURABLE SRI JUSTICE RAJA ELANGO**



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**Date: 25.10.2016**

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