

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42727 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed to call for the records relating in Crime No.224 of 2016 on the file of Station House Officer, Sirivella Police Station, Kurnool District-2nd respondent and quash the same.

2. In the affidavit filed in support of the petition, it is stated that the Head Constable, Special Branch, Allagadda Circle gave a complaint stating that the passport file pertaining to the 1st petitioner, who is a Home Guard, was enquired into as per nativity address furnished and came to light that the 2nd petitioner gave nativity certificate to the 1st petitioner without conducting enquiry. Hence committed offences under Sections 420, 468 read with 34 IPC.

3. Learned counsel for the petitioners submits that the petitioners never committed the offences alleged against them and hence, prays to quash the complaint.

3. The learned Assistant Government Pleader submits 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.

5. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondents No.2 is directed to complete the investigation in Crime No.224 of 2016 of Sirivella Police Station, Kurnool District

and file a final report, in accordance with law in either way, without arresting the petitioners herein. The petitioners are directed to report before the 2nd respondent as and when required. The petitioners are further directed to execute a personal bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each with one surety each to the satisfaction of the 2nd respondent as surety for their future appearance for the purpose of investigation.

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

JUSTICE RAJA ELANGO

DECEMBER 08, 2016
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Date:08.12.2016

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