

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36437 OF 2016

ORDER:

The present writ petition is filed by the petitioner seeking to call for the records pertaining to Crime NO.181 of 2016 on the file of the Chinnachowk U/ G Police Station, Channachowk, Kadapa, YSR Kadapa District and quash the same.

Heard and perused the material available on record.

The case in brief is that the petitioner entered into an agreement of sale with the 3rd respondent to sell his land for an amount of Rs.5,25,000/-, and after receiving part sale consideration, not registered the land. When the 3rd respondent questioned the same, he abused the 3rd respondent in the name of his caste and threatened him with dire consequences.

The case of the petitioner is that he is innocent of the offences alleged against him and in fact the 3rd respondent failed to pay the balance sale consideration and failed to perform his part of contract, and filed the present complaint to extract money from him.

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

Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the facts and circumstances of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, respondent No.2 is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned, as and when required, and cooperate with the investigation. In case, the charge sheet is filed before the Court concerned, and summons are received by the petitioner, he shall appear before the Court concerned and execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for his future appearance.

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

October 28, 2016.
KTL



RAJA ELANGO, J

