

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36024 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *certiorari* to call for the records in F.I.R.No.108 of 2016 on the file of II Town Police Station, Kurnool, Kurnool District and to quash the same.

2. Heard and perused the material available on record.

3. Case of the petitioner is that the *de facto* complainant filed a complaint against him before respondent No.1 and the same was registered as the aforementioned case for the offences punishable under Sections 417, 493 and 506 I.P.C. and Section 4(1)(W)(ii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Ordinance 2015-2016 Act; that the complaint does not contain any incriminating material against him; that he never did any criminal activities and respondent No.1 is trying to arrest him without following the due process of law and hence, prays to quash the said F.I.R.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.1 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.1 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.

JUSTICE RAJA ELANGO

25.10.2016

Note:-

Furnish C.C. tomorrow.

B/O

AMD



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