

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42732 OF 2016

ORDER:

This writ petition is filed seeking to quash the proceedings in F.I.R.No.452 of 2016 on the file of Amberpet Police Station, Hyderabad against the petitioners.

2. Heard and perused the material available on record.
3. Case of the petitioners is that respondent No.5 filed a false complaint against them before Amberpet police and the same was registered as the aforementioned crime for the offences punishable under Section 323 I.P.C. and Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989; that the complaint does not contain any incriminating material; that they never did any criminal activities and the police are trying to arrest them without following the due process of law.
4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioners and the police are investigating the matter in accordance with law.
5. Admittedly, case and counter case are pending between the petitioners and respondent No.5 that arose out of a dispute in connection with maintenance of a temple in their locality. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, police concerned are hereby directed to complete the investigation in the aforementioned crime and file a final report, in

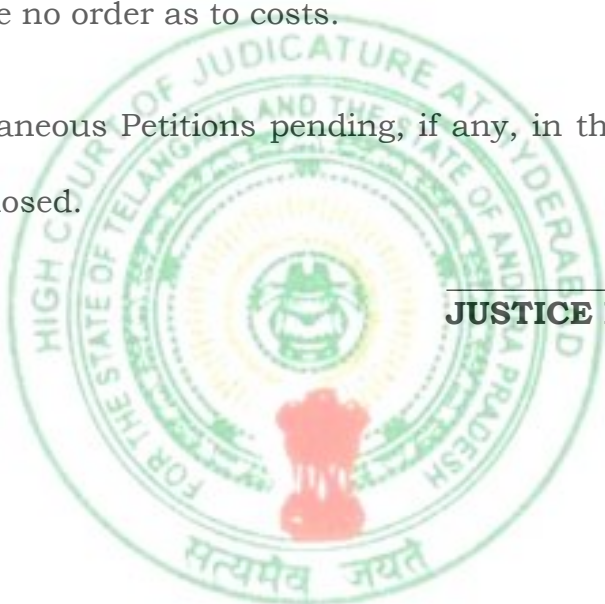
accordance with law in either way, without arresting the petitioners. However, the petitioners shall appear before respondent No.2 as and when required for the purpose of investigation. In case any charge sheet is filed and summons are received by the petitioners, they shall appear before the Court concerned and execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their future appearance.

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.

14.12.2016
AMD

JUSTICE RAJA ELANGO



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AMD