HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36570 OF 2016s

ORDER:

The present writ petition is filed by the petitioners seeking to call for the records pertaining to Crime No.200 of 2016 of Kakatiya University Police Station, Warangal, registered for the offences punishable under Sections 323, 504 and 506 IPC and 3 (1) (p)(q)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (for short 'the Act'), and consequently, set aside the same.

Heard and perused the material available on record.

The 4th respondent lodged the above complaint against the petitioners alleging that the 4th respondent failed in her examination and when she approached the 1st petitioner, the 2nd petitioner came there and laughed at her and they both insulted her by abusing in the name of her caste.

The grievance of the petitioners is that the allegations against them are false and baseless and that in fact, the petitioners lodged a complaint, which was registered as Crime No.186 of 2016 against the husband of the 4th respondent for the offences under Sections 186, 332, 427, 506 and 452 IPC and 3 & 4 of the PDPP Act, and therefore, as a counter blast to the same, the present case is registered against them.

The learned Assistant Government Pleader submitted 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.

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, and since there are case and counter case, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, respondents Nos.2 and 3 are directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are 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 petitioners, they 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 each, for their future appearance.

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

RAJA ELANGO, J

October 28, 2016.
KTL

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH
सत्यमेव जयते

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