

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39070 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari by calling the records relating to F.I.R.No.168 of 2015 on the file of the second respondent and declare the same as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the third respondent lodged the complaint with all false allegations and that the same is filed only to harass the petitioner herein as there are civil disputes between the petitioner and the third respondent and that the third respondent filed O.S.No.115 of 2009 before the VII Additional District Judge, Kakinada. Hence, he prays this Court to quash the case against the petitioner herein.

This Court is not inclined to quash the proceedings in F.I.R.No.168 of 2015 at the threshold. However, considering the facts and circumstances of the case, the second respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the second respondent and execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the likesum for his future appearance as and when required for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

14.11.2016
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