

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42200 of 2016

ORDER:

1. This writ petition is filed under Article 226 of the Constitution of India seeking to quash the proceedings against the petitioner in FIR No.342 of 2016 on the file of Ongole I Town Police Station, Prakasam District.

2. The above crime was registered for the offence under Section 420 IPC alleging that the petitioner is cheating the farmers by supplying the bio products, which contain the residues of pesticides. It is the case of the petitioner that the Joint Director of Agriculture gave a show cause notice, for which he submitted his explanation. But no opportunity was given to him to submit his objections on the analysis report. Without following the procedure, the present complaint was lodged.

3. On 14.12.2016, this Court passed interim order directing the respondents-police concerned not to arrest the petitioner, and further granting liberty to them to proceed with the investigation.

4. Heard and perused the material available on record.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, the interim order dated 14.12.2016 is made absolute directing respondents Nos.1 to 3 to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. However, the petitioner is directed to appear before the Station House Officer concerned as and when required for the purpose of investigation and he is also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the

Station House Officer concerned, as surety for his future appearance as and when required for the purpose of investigation.

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

RAJA ELANGO, J

Date: 27th December, 2016
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