

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43273 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the registration of F.I.R.No.65 of 2016 on the file of Madhira Town Police Station, Madhira, Khammam District and calling the petitioners to the police station and making threats to arrest them in a pending civil suit as illegal and arbitrary and consequently, direct respondent No.3 not to make such threats.

2. Heard and perused the material available on record.
3. Case of the petitioners is that respondent No.4 filed a false complaint against them before respondent No.3 and the same was registered as the aforementioned case for the offences punishable under Sections 409 and 420 read with 34 I.P.C.; that the complaint does not contain any incriminating material; that they never did any criminal activities and respondent No.3 is 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 respondent No.3 is investigating the matter in accordance with law.
5. It is informed by the learned counsel for the petitioners that the petitioners are ready to cooperate with the investigation and A-1 was already granted anticipatory bail. Considering the facts and circumstances of the case and the grievance of the petitioners,

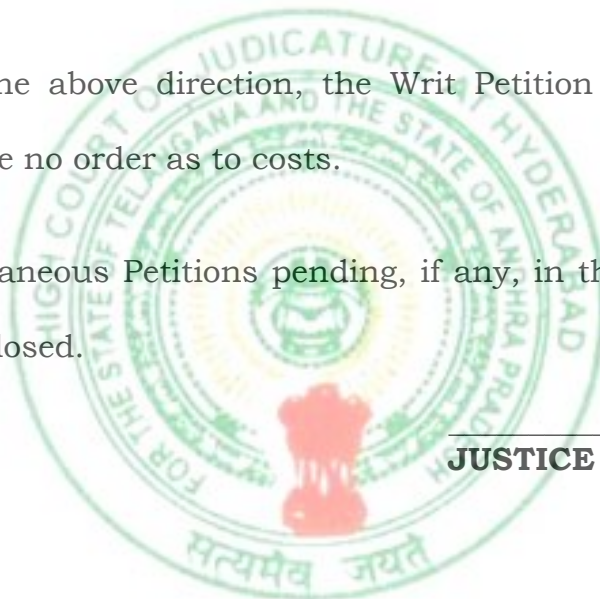
without expressing any opinion on merits, respondent No.3 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioners. The petitioners are directed to appear before respondent No.3 daily between 10:00 A.M. and 5:00 P.M. for a period of one week commencing from 6.1.2017. Further, they shall execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with one surety for the like sum each for their appearance as and when required for the purpose of investigation.

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.

21.12.2016
AMD

JUSTICE RAJA ELANGO



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Date: 21.12.2016

AMD