

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38975 of 2016

ORDER

This writ petition is filed by the petitioner seeking to call for records pertaining to Crime No.130 of 2016 of Habeebnagar Police Station, Hyderabad District, registered on the complaint of 3rd respondent without any iota of evidence, as illegal and arbitrary.

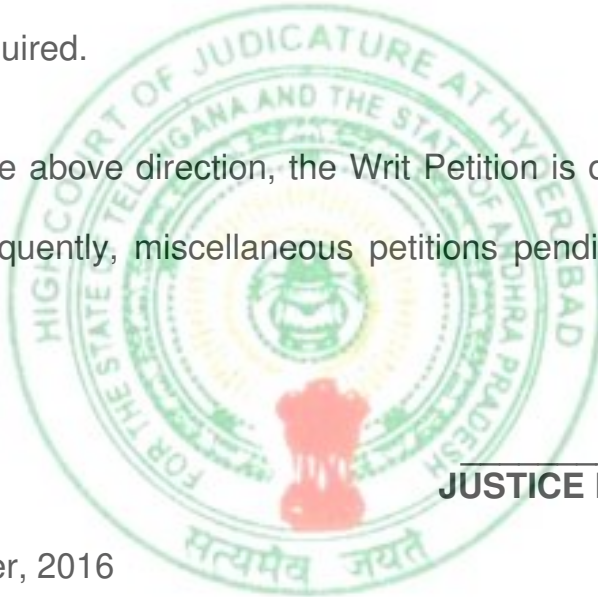
2. It is stated in the affidavit that the 3rd respondent, who is the Principal of Deccan College of Engineering, lodged a complaint alleging that on 13.06.2016, during examinations, on inspection, the squad members found one candidate was writing examination in place of petitioner and later, he ran away in front of the said members. Based on the said complaint, the aforesaid crime was registered against the petitioner and another for the offences punishable under Sections 419, 420, 471 IPC and under Section 3 read with Section 8 of A.P.Public Examinations (Prevention of Malpractices and Unfair Means) Act, 1997. It is further stated that due to rivalry with the management, the petitioner was falsely implicated in this case and that the 2nd respondent is trying to arrest him without following due process of law.

3. The learned Assistant Government Pleader submitted that on the basis of complaint, a case was registered against the petitioner and the official respondents are investigating into the matter in accordance with law.

4. The main grievance of petitioner is that the 2nd respondent did not conduct any enquiry and did not issue any notice to him and that he is trying to arrest him without following due process of law.

5. Considering the facts and circumstances of the case, without expressing any opinion on merits, respondents Nos.1 and 2 are directed to complete the investigation in Crime No.130 of 2016 of Habeebnagar Police Station, Hyderabad District, and file a final report in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the investigating agency as and when required.

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



JUSTICE RAJA ELANGO

11th November, 2016

sj



