

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36648 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to declare the action of respondent No.2 in registering F.I.R. in Crime No.32 of 2016 on the file of Mulkanur Police Station, Karimnagar District as illegal and arbitrary and consequently, to quash the proceedings in the said crime.

2. Heard and perused the material available on record.

3. Case of the petitioners is that respondent No.3 filed a false complaint against them before respondent No.2 and the same was registered as the aforementioned case for the offence punishable under Section 306 read with 34 I.P.C; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and respondent No.2 is trying to arrest them without following the due process of law and hence, prays to quash the proceedings in the said F.I.R.

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.2 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent No.2 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. However, the petitioners shall appear before the investigating officer 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.

28.10.2016
AMD

JUSTICE RAJA ELANGO



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.36648 OF 2016

Date: 28.10.2016

AMD