

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43533 of 2016

ORDER:

This writ petition is filed seeking to declare the action of respondents 2 & 3 by calling the petitioner to the police station frequently in connection with Crime No.72 of 2015 of Vizianagaram Rural Police Station, as illegal and arbitrary and consequently direct respondents 2 & 3 not to harass the petitioner by calling him to the police station in connection with Crime No.72 of 2015.

Heard and perused the material available on record.

The case of the petitioner is that the 4th respondent lodged the present complaint against one Thapa Murthy alleging that the accused cheated the 4th respondent along with three others by believing them that he will arrange jobs in Court as he worked in the Court as Superintendent and also collected an amount of Rs.4,70,000/- from them on 18.05.2013 and then failed to arrange the jobs in the Court and the 4th respondent and others came to know that the accused cheated some other unemployed persons also in the same manner. Basing on the said report, the 2nd respondent registered a case in Crime No.72 of 2015 against one Thapa Murthy for the offences under Sections 420 IPC read with 468 & 471 IPC.

The main grievance of the petitioner is that the 3rd respondent called the petitioner over phone and asked the details and phone numbers of his family members and the petitioner gave all the details and phone numbers to the 3rd respondent and that on 14/15.09.2016, the 3rd respondent called the petitioner to the police station and threatened the petitioner to accept the offence or

otherwise, the petitioner would be sent to jail and that respondents 2 & 3 are trying to implicate the petitioner in the above said crime and that the petitioner is apprehending arrest in the hands of respondents 2 & 3 in connection with Crime No.72 of 2015.

Considering the said facts and circumstances, respondents 2 & 3 are directed to complete the investigation in Crime No.72 of 2015, as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is 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 Investigation Officer concerned as surety for his future appearance for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

Date: 26th December, 2016

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