

**THE HONOURABLE SRI JUSTICE RAJA ELANGO**

**WRIT PETITION No.39035 of 2016**

**ORDER**

This writ petition is filed by the petitioner seeking to declare the action of 2<sup>nd</sup> respondent in registering the FIR No.271 of 2016 dated 06.07.2016, for the offences under Sections 447, 427 and 420 IPC, against him, as illegal and arbitrary.

2. It is stated in the affidavit that the 3<sup>rd</sup> respondent-Tahsildar, lodged a complaint alleging that the petitioner, who is the husband of purchaser of land to an extent of Ac.1.20 gts in the FTL area of Pedda Cheruvu, was illegally filling the gravel in the said land. It is stated that the petitioner was filling black soil in his private land and he never committed any offences as alleged and that the 2<sup>nd</sup> respondent is trying to arrest him without following due process of law.

3. The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the said crime. However, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the Station House Officer concerned as and when required and further 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.

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

**JUSTICE RAJA ELANGO**

11<sup>th</sup> November, 2016

sj



