

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42980 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in FIR No.323 of 2016 on the file of Inthezrgunj Police Station, Warangal, Warangal District.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 290, 506 r/w 34 IPC and Section 3 (1)(s) of SCs & STs (POA) Amendment Act, 2015. It is alleged that when the 5th respondent dumped sand, stone chips and other construction material on the road, the petitioners objected and they insisted for removal of the same immediately. When the mother of the 5th respondent asked the petitioners as to why they are causing inconvenience to the 5th respondent, they abused her in the name of her caste, whereas it is the grievance of the petitioners that they did not abuse the 5th respondent or her mother and when they insisted for removal of the building material, they lodged a false complaint against them.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, in view of the fact that the alleged incident occurred on 16.11.2016 whereas the complaint was lodged on 19.11.2016, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. If any final report is filed against the petitioners and if any summons are issued to them by the Court concerned, they are

directed to appear before the Court concerned and execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the Court concerned, as surety for their future appearance as and when required.

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

RAJA ELANGO, J

Date: 9th December, 2016
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