

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39556 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to set aside F.I.R.No.299 of 2016 on the file of III Town Police Station, Visakhapatnam, Visakhapatnam District.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.4 filed a false complaint against him before respondent No.3 basing on the civil disputes pending between them and the same was registered as the aforementioned case for the offence punishable under Section 420 read with 34 I.P.C.; that the complaint does not contain any incriminating material; that he never did any criminal activities and respondent No.3 is trying to arrest him without following the due process of law.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.3 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondent No.3 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 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 respondent No.3 towards surety for his future appearance 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.

17.11.2016
AMD

JUSTICE RAJA ELANGO



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.39556 OF 2016

Date: 17.11.2016

AMD