

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43169 OF 2016

ORDER:

This writ petition is filed seeking to set aside the proceedings in Crime No.285 of 2016 on the file of Balanagar Police Station, Balanagar, Mahaboobnagar District.

2. Heard and perused the material available on record.
3. Case of the petitioner is that respondent No.2 registered the aforementioned case against him for the offences punishable under Section 379 I.P.C., Section 21(1) of the Mines and Minerals (Development and Regulation) Act, 1957 and Section 3 of the Prevention of Damage to Public Property Act, 1984; that the complaint does not contain any incriminating material; that he never did any criminal activities and respondent No.2 is trying to arrest him without following the due process of law.
4. Learned Assistant Government Pleader for Home submitted that 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 petitioner and in view of the fact that the petitioner is ready to cooperate with the investigation, 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 petitioner. The petitioner is directed to appear before respondent No.2 and execute a personal bond for a sum of Rs.5,000/- (Rupees

five thousand only) with one surety for the like sum for his 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.

JUSTICE RAJA ELANGO

14.12.2016
AMD



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Date: 14.12.2016

AMD