

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36039 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of mandamus to declare the action of respondent No.3 in adding the petitioner as accused No.10 in Crime No.89 of 2016 on the file of Robertsonpet Police Station, Krishna District as illegal and arbitrary and consequently, to direct respondent No.3 to remove the name of the petitioner as accused No.10 in the said crime.

2. Heard and perused the material available on record.

3. Case of the petitioner is that the *de facto* complainant filed a complaint against him and others before respondent No.3 and the same was registered as the aforementioned case for the offences punishable under Sections 420, 465 and 471 read with 120-B I.P.C.; that the complaint does not contain any incriminating material against him; that he never did any criminal activities and respondent No.3 is trying to arrest him without following the due process of law and hence, prays to direct respondent No.3 to remove his name as accused No.10 in the said crime.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and others 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.

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.

25.10.2016

Note:-

Furnish C.C. tomorrow.

B/O
AMD

JUSTICE RAJA ELANGO



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Date: 25.10.2016

AMD