

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40953 of 2016

ORDER

This writ petition is filed by petitioner seeking to declare the FIR No.267 of 2016 dated 03.09.2016 on the file of I Town Police Station, Nalgonda, registered for the offences under Sections 409 and 420 IPC, as illegal and arbitrary.

2. It is stated in the affidavit that the 4th respondent-District Manager gave a complaint against the husband of petitioner, namely, Yaramada Ramesh Kumar, stating that he had misappropriated the Government paddy worth Rs.2,37,56,743/- and subsequently, he obtained anticipatory bail on 26.09.2016. Now, the police are trying to arrest the petitioner by collecting a partnership deed dated 07.07.2009 from the Bank without following due process of law. Hence, she filed the present writ petition.

3. The learned Assistant Government Pleader submitted that on the basis of complaint, the respondents are investigating into the matter in accordance with law.

4. The main grievance of petitioner is that the 3rd respondent did not conduct any enquiry and did not issue any notice to her and that he is trying to arrest her without following due process of law.

5. Considering the facts and circumstances of the case, without expressing any opinion on merits, respondents Nos.1 to 3 are directed to complete the investigation in Crime No.267 of 2016 of

I Town Police Station, Nalgonda, 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.10,000/- (Rupees ten thousand only) with one surety for the like sum to the satisfaction of the Station House Officer concerned, as surety for her future appearance as and when required.

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



JUSTICE RAJA ELANGO

19th December, 2016

sj

