

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45875 of 2016

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in F.I.R. No.390 of 2016 on the file of Amalapuram Town Police Station, East Godavari District.

Heard and perused the material available on record.

It is stated in the affidavit that the petitioner has nothing to do with the alleged incident and he has no knowledge about the alleged incident. In spite of that, the respondent-police have implicated him as A-36 without any basis and making severe efforts to arrest him. The action of respondent is highly illegal and arbitrary. The petitioner is apprehending arrest in the hands of the respondent-police though the petitioner is an innocent and did not involve in the alleged incident. Accused No.1 in the above F.I.R. has approached this Court by filing W.P.No.43496 of 2016 and this Court was pleased to protect his interest by staying the arrest while giving liberty to the police to proceed with the investigation.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, the Police concerned are directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioner.

With the above direction, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

28.12.2016.

skmr

