

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40149 of 2016

ORDER:

The present writ petition is filed seeking to call for the records relating to Crime No.194 of 2016 on the file of II-Town Police Station, Sddipet, Sddipet District, for the offences under Sections 384, 452, 427 and 506 r/ w.34 IPC, and consequently, set aside the same.

The de facto complainant – 6th respondent lodged a complaint against the petitioner and others alleging that they came to his Bar and consumed liquor and had food, and when he asked for bill, they threatened him with dire consequences; and they again came in the night on the same day, and abused him and damaged the furniture and the food items in the Bar.

Heard and perused the material available on record.

Learned counsel for the petitioners submitted that due to a sudden quarrel an oral altercation took place between the petitioner and the de facto complainant and he never damaged any furniture and food items in the Bar and that the other accused were already arrested and released on bail, and hence, he requested to quash the proceedings in the above case.

The learned Assistant Government Pleader for Home submitted that on the basis of the complaint, a case was registered against the petitioners, and the respondents are investigating into the matter in accordance with law.

The petitioner filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with

the investigation in the above crime, taking into consideration the facts and circumstances of the case, this Court is of the view that the above crime can be investigated into, without arresting the petitioner.

Accordingly, the respondents 2 to 5 are directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned 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 before the investigating officer as and when required, for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

November 21, 2016.
KTL

