

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40918 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the respondents 2 to 4 in contemplating to arrest the petitioners in connection with F.I.R.No.55 of 2016 though the petitioners were not figured as accused persons in F.I.R., lodged by the fifth respondent as illegal and arbitrary, and consequently to direct the respondents 2 to 4 not to subject the petitioners to arrest in the said crime.

Heard and perused the material.

Learned counsel for the petitioners submits that the fifth respondent has filed a complaint alleging that one Kattam Venkateswara Rao and five names others brought one Dharmula Pedda Ramudu to Ramalayam temple on the pretext of meditation and killed him by beating with sticks, knives and stones on suspicion that he applied sorcery to kill Kattam Srinu, and on such report, the fourth respondent registered the complaint for the offences under Sections 143, 302, 307, 149, 201 and 147 IPC and that investigating agency conducted investigation and arrested about twenty persons including the persons, who are mentioned in the F.I.R. He further submits that the petitioners are not mentioned in the F.I.R., and that they have not committed any offence and as such, he prays this Court to quash the proceedings against the petitioners.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners at the threshold as the allegations made in F.I.R., are serious in nature.

The writ petition is accordingly dismissed. Consequently, miscellaneous petitions, if any shall also stand dismissed.

JUSTICE RAJA ELANGO

25.11.2016
pln