

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44891 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in registering F.I.R No.61 of 2016 of Nagalapuram Police Station, Chittoor District, against the petitioner, as arbitrary and illegal and consequently, to set aside the same.

2. Heard and perused the material available on record.

3. Case of the petitioner is that the *de facto* complainant, who is working as a Fair Price Shop dealer has close acquaintance with A.1 and had given Rs.20,000/- to him for the purpose of obtaining pattadar passbook. A.1 has given pattadar passbook in the name of *de facto* complainant's wife. It is alleged that the said pattadar passbook are forged one. Basing on the confessional statement made by A.1, A.2 to A.7 were added as an accused.

4. Learned counsel for the petitioner would submit that the petitioner is working as VRO, Nagalapuram Mandal, Chittoor District; that he was falsely implicated in the present case basing on the confessional statement of A.1; that except the alleged confession, there is no other material to connect the petitioner with the present crime; that with a view to harass the petitioner, the present complaint is lodged and that the petitioner is ready to cooperate with the investigation.

5. Learned Assistant Government Pleader for Home submitted that on the basis of the present complaint, a case was registered

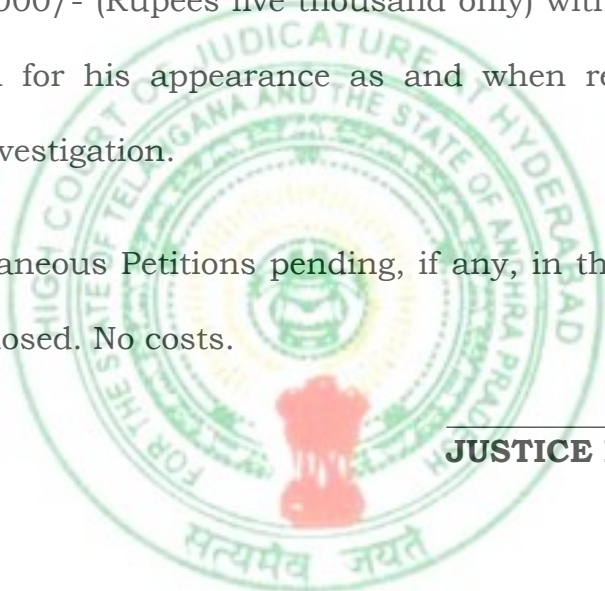
against the petitioner and respondent No.2 is investigating the matter in accordance with law.

6. Considering the facts and circumstances of the case and in view of the fact that the petitioner is ready to cooperate with the investigation, without expressing any opinion on merits, respondent No.2 is hereby directed to complete the investigation in crime No.61 of 2016 and file a final report in accordance with law, without arresting the petitioner. The petitioner is directed to appear before respondent No.2 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 as and when required for the purpose of investigation.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed. No costs.

22.12.2016
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JUSTICE RAJA ELANGO



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Date: 22.12.2016

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