

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44427 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus to declare the proceedings in F.I.R. No.24 of 2011 on the file of 2nd respondent as illegal and arbitrary and to set aside the same.

The case of the petitioner is that on the complaint given by one Y.S.Sudhakar, the then Executive Engineer, I & CAD, B.R.R. Vamsadhara Project, Tekkali, Srikakulam, the 2nd respondent registered a case against the petitioner and others in Crime No.24 of 2011 for the offences punishable under Sections 420, 120(B), 406, 407, 468, 471 r/w 34 IPC. Now, it is the grievance of the petitioner that he is implicated falsely and that he has not committed the offence as alleged in the complaint.

The learned Assistant Government Pleader for Home submitted that since a complaint is lodged against the petitioner, the 2nd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate for the investigation, but, however, he is apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the facts and circumstances of the case, the 2nd respondent is directed to complete the investigation in Crime No.24 of 2011 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 2nd respondent-police and shall execute a personal bond for a sum of

Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance as and when required for the purpose of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

20.12.2016.
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