

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36082 OF 2016

ORDER:

The present writ petition is filed by the petitioners, seeking to call for the records in FIR No.199 of 20016 on the file of Anandapuram Police Station, Visakhapatnam City, and quash the same.

Heard and perused the material available on record.

The case in brief is that the 1st petitioner developed illegal intimacy with the de facto complainant – 3rd respondent from the year 2002 on the promise of marrying and postponing the same. When she asked him about the marriage, he scolded her in the name of her caste and refused to marry her.

Learned counsel for the petitioners submitted that the petitioners are innocent of the offences alleged against them and the 1st petitioner never had any relationship with the de facto complainant and to attract money from the petitioners, the present complaint was lodged with all false allegations.

The learned Assistant Government Pleader 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.

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 petitioners.

Accordingly, respondent No.2 is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned, as and when required, and cooperate with the investigation. In case, the charge sheet is filed before the Court concerned, and summons are received by the petitioners, they shall appear before the Court concerned and execute a bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum, for their future appearance.

Accordingly, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

November 01, 2016.
KTL

RAJA ELANGO, J



