

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42127 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to quash the proceedings in Crime No.190 of 2016 on the file of Tanuku Town Police Station, West Godavari District.

2. Heard and perused the material available on record.
3. Case of the petitioners is that respondent Nos.4 and 5 filed a private complaint against them before the II Additional Judicial First Class Magistrate at Tanuku and the same was referred to the police for investigation; that respondent No.3 registered the same as the aforementioned case for the offences punishable under Sections 406, 420, 467, 468, 471 and 120-B read with 34 I.P.C.; that the complaint does not contain any incriminating material against them; that they never did any criminal activities and respondent No.3 is trying to arrest them without following the due process of law and hence, prays to quash the proceedings in the said crime.
4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioners and respondent No.3 is investigating the matter in accordance with law.
5. Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, respondent No.3 is hereby directed to complete the

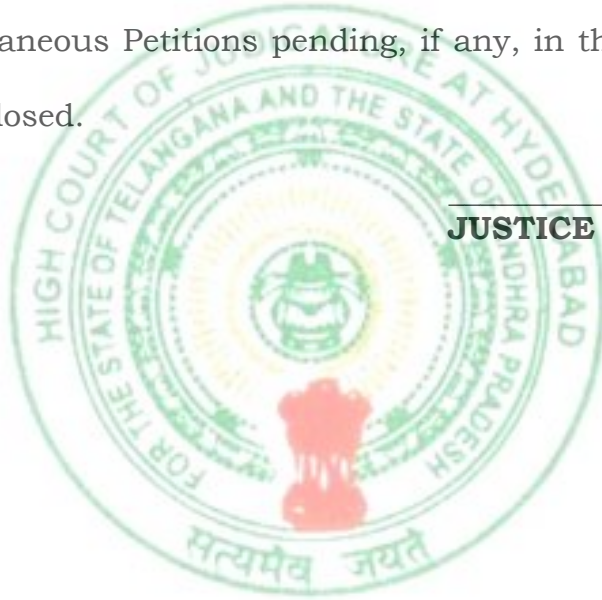
investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioners. The petitioners are directed to appear before respondent No.3 and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their appearance as and when required for the purpose of investigation.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

5.12.2016
AMD

JUSTICE RAJA ELANGO



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AMD