

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37254 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to call for the records in Crime No.252 of 2016 on the file of 2nd respondent and to quash the same as illegal and abuse of process of law.

The case of the petitioner is that on the complaint given by the 3rd respondent regarding missing of certain documents marked as exhibits in O.S.No.307 of 2006 on the file of II Additional Senior Civil Judge, Warangal, 2nd respondent registered a case in Crime No.252 of 2016 for the offences punishable under Sections 406, 380 & 411 IPC against the petitioner. It is alleged that the complainant without verifying the original facts and without verifying the relevant dates lodged the complaint making vague allegations that too six years after retirement of the petitioner from service.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 3rd respondent, 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 and since the petitioner has already retired from service, the 2nd respondent is directed to complete the investigation in Crime No.252 of 2016 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 execute a personal bond for a sum of Rs.10,000/- (Rupees ten 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.

08.12.2016.
Tsr

RAJA ELANGO,J



