

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 45865 of 2016

Order:

This Writ Petition was filed challenging the action of the second respondent in registering Crime No.632 of 2016 on the file of Women Police Station, CCS, Nampally, Hyderabad, against the petitioners for the alleged offences mentioned by the third respondent in her complaint.

This Court carefully gone through the complaint and noticed that on the basis of allegations made in the complaint it cannot be said that the registration of Crime No.632 of 2016 by the Women Police Station, CCS, Nampally, Hyderabad, is without jurisdiction. However, it is stated by the learned counsel for the petitioners that the petitioners are in Switzerland and another complaint was lodged against them by the third respondent and the said complaint is under investigation. She also submitted that the second respondent already issued a notice under Section 41-A of Cr.P.C., and in view of the stay granted by this Court the petitioners could not appear before the second respondent and there is an apprehension of arrest of the petitioners in the event of their coming to India and appear before the second respondent, in view of non-compliance with the notice issued earlier. But, it has to be seen that the petitioners could not appear before the second respondent in view of pendency of the present Writ Petition and also in view of their residence in Switzerland.

In the circumstances, the second respondent shall issue another notice to the petitioners for their appearance and the petitioners shall comply with the same. Since this Court noticed that registration of crime on the basis of complaint lodged by the third respondent is in accordance

with law, it is open to the second respondent to investigate the crime strictly following the provisions of the Code of Criminal Procedure.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 01.03.2017
Nsr

