

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.12423 of 2017

Order:

This Writ Petition is filed challenging the action of the third respondent in registering FIR No.6 of 2017 dated 24.01.2017 on the basis of complaint lodged by the fourth respondent on the ground that the same was registered without conducting preliminary enquiry and counseling, contrary to the pronouncements of this Court and the Hon'ble Supreme Court.

Learned counsel for the petitioners submitted that the first accused was already arrested and released on bail. He apprehends arrest of other accused in the instant case. He submits that the third respondent is not following proper procedure enunciated by this Court in Criminal Petition No.157 of 2014, dated 17.01.2014, by following the Supreme Court judgments.

In the circumstances, the Writ Petition is disposed of directing the third respondent to follow due process of law, as laid down by this Court in Criminal Petition No.157 of 2014 dated 17.01.2014, and also the provisions of the Code of Criminal Procedure, 1973, including Section 41-A of the same. 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: 07.04.2017
Nsr