

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.5206 of 2017

ORDER:

This Writ Petition is filed seeking to quash the proceedings in Crime No.61 of 2015 registered by the second respondent, against the petitioner, based on the statement made by the third respondent while conducting inquest and harassing the petitioner that he would be implicated in the said crime.

Based on instructions, learned Government Pleader for Home submits that after registration of the complaint, a memo was filed before the Court concerned on 05.03.2015 in connection with alteration of Section of law from Section 174 Cr.P.C to Section 306 read with Section 34 IPC. During the course of investigation, eight witnesses were examined and statements were recorded and investigation is pending for want of arrest of the accused and after completion of investigation, appropriate action will be taken for filing the charge sheet.

Learned Counsel appearing for the petitioner submits that the petitioner apprehends that he would be arrested without following due process of law.

In the circumstances, the second respondent shall follow due process of law, more particularly Section 41-A of the Code of Criminal Procedure, pursuant to registration of Crime No.61

of 2015 and take necessary further action in accordance with law.

With the above observation, the Writ Petition is closed. No costs. Miscellaneous petitions, if any, pending shall stand closed.

15.02.2017
vs

(A.RAMALINGESWARA RAO, J)

