

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.6422 of 2017

ORDER

Challenging the action of the 3rd respondent in not following the procedure contemplated under Section 41-A of the Criminal Procedure Code, 1973, pursuant to registration of Cr.No.31 of 2017, dated 11.2.2017, the present writ petition is filed.

Learned counsel appearing for the petitioners submits that the petitioners earlier made a complaint against the 5th respondent with regard to running a private hospital and diverting the patients from Government Civil Hospital to his clinic at Metpalli. He further submits that in respect of the said allegations, an Enquiry Officer was appointed, enquiry was going on, and as a counter-blast to the said complaint, the 5th respondent lodged a complaint against the petitioners before the police and that the petitioners have nothing to do with the said crime.

Since a crime was already registered and it is under investigation, this Court is not inclined to record a finding with regard to the events that have occurred on 11.2.2017. However, the respondent-police are directed to follow due process of law while investigating the crime including the procedure as contemplated under Section 41-A of the Criminal Procedure Code.

Accordingly, the Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

23^d February, 2017

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