

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.1139 OF 2017

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the second respondent in registering F.I.R.No.33 of 2016 on the false complaint of the third respondent for the offences under Sections 408 and 420 IPC and Section 38 of the A.P.Mutually Aided Cooperative Society as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present crime and that the petitioner has not misappropriated any amount pertaining to the Milk Producers' Society. Hence, he prays this Court to quash the proceedings against the petitioner.

This Court is not inclined to quash the proceedings at the threshold. However, taking into consideration the facts and circumstances of the case, the second respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the second respondent and execute a personal bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) with one surety for the likesum for his future appearance as and when required for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

06.01.2017
pln