

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.18 of 2017

Order:

This Writ Petition is filed challenging the action of the respondents 2 and 3 in seeking to arrest the petitioners pursuant to registration of Crime No.228 of 2016 under Section 109 IPC by the third respondent.

The said crime was registered on the complaint made by the fourth respondent against one Venkataswamy @ Venkatesh who was arrayed as first accused. He was arrested and sent to judicial remand.

This Court, initially by order dated 03.01.2017, granted stay of all further proceedings including arrest of the petitioners and subsequently the said order was modified by further order dated 13.03.2017 giving liberty to the respondents 2 and 3 to continue the investigation pursuant to registration of crime, but shall not arrest the petitioners.

The main allegation against the first accused was under Section 376 IPC and the allegation against the petitioners related to Section 109 IPC only. In those circumstances, this Court is inclined to dispose of the Writ Petition directing the third respondent to continue the investigation against the first accused and the petitioners, but shall not arrest the petitioners.

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: 18.04.2017
Nsr