

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.45762 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in Crime No.134 of 2016 on the file of Gurla Police Station, Gurla Mandal, Vizianagaram District.
2. Heard and perused the material available on record.
3. It is stated in the affidavit that the above crime was registered for the offence under Sections 324 and 326 r/w 34 IPC alleging that in view of previous disputes in connection with sharing of public tap water, the petitioners beat the 3rd respondent and his wife with iron rods, as a result of which, they received injuries. It is the case of the petitioners that the 3rd respondent unauthorizedly encroached and occupied public path and the petitioners along with the residents of that locality filed a complaint against the 3rd respondent. As a counter-blast, the 3rd respondent filed the present complaint with false allegations.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to execute a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety each for the like sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required for the purpose of investigation.

5. With the above direction, the Writ Petition is disposed of. No costs.
Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 3rd January, 2017
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