

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No. 42624 of 2016

ORDER:

This writ petition was filed challenging the action of respondent No.2-Station House Officer, Ibrahimpatnam Police Station, Vijayawada City, Krishna District in implicating the petitioners as Accused Nos.2 to 5 in F.I.R.No.397 of 2016.

Respondent No.3, when she was a minor, lodged a complaint alleging forcible marriage. A reading of the complaint discloses that there is a *prima facie* case for registration of the crime, and the Police are proceeding with the investigation on the basis of the registration of the crime. This Court does not find any fault in registering the complaint.

Though the learned counsel for the petitioners submits that initially Ibrahimpatnam Police refused to register the crime, but after respondent No.3 went to her native place, a complaint was registered and it was transferred to Ibrahimpatnam Police. It is for respondent No.2 to investigate the crime registered based on the incident occurred within his jurisdiction.

In the circumstances, since the investigation is under progress, this Court is not inclined to interfere with the same. It is needless to observe that respondent No.2 shall follow due process of law including issuance of notice under Section 41 (A) Cr.P.C.

while investigating the crime. It is also needless to observe that the petitioners are entitled to avail alternative remedies, if they are advised.

The writ petition is accordingly disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

A.RAMALINGESWARA RAO,J

Dt:06.03.2017

kdl

