

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.448 of 2017

ORDER:

The petitioner filed this Writ Petition by invoking the provisions under Article 226 of the Constitution of India, seeking to declare the action of the 2nd respondent in registering FIR No.820 of 2016 on the file of Madhapur Police Station, Ranga Reddy District, and quash the same.

Heard and perused the material available on record.

The case in brief is that the son of the 1st petitioner moved closely with the de facto complaint by saying deceitful words that he will marry her and had sexual intercourse with her, due to which the de facto complainant became pregnant and thereafter, he refused to marry and also got aborted her without her consent.

Learned counsel for the petitioners submitted that the allegations made against the petitioners are absolutely false and there are no specific allegations against them and the main allegations are against the son of the 1st petitioner, who was already arrested and remanded to judicial custody, and due to pendency of the above case, the petitioners are apprehending arrest.

Learned Additional Government Pleader for Home submitted that basing on the complaint, the above case is registered and the police concerned are investigating into the matter.

The petitioners filed this writ petition challenging the investigation in the above crime. Even though this Court is not inclined to interfere with the investigation in the above crime, taking into consideration the circumstances of the case, and the grievance of the

petitioners, this Court is of the view that the above crime can be investigated into, without arresting the petitioners.

Accordingly, the 3rd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their future appearance before the investigating officer as and when required for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. Miscellaneous petitions, pending if any, shall stand closed.

January 04, 2017.
KTL

RAJA ELANGO, J

