

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.14347 of 2017

Order:

This Writ Petition was filed for issuance of Writ of Certiorari calling for the records in Crime No.12 of 2017 registered by the second respondent on the complaint made by the third respondent and to quash the same.

It is stated that the petitioner herein is accused No.4 in the said crime. During the course of hearing, it came to light that accused No.3 earlier filed W.P.No.8945 of 2017 stating that a false case was foisted against her in order to prevent her from casting her vote in the MLC elections. In the said Writ Petition, it was stated that accused Nos.1 and 2 have voluntarily surrendered before the Court of the Judicial Magistrate of First Class, Kamalapuram and they were sent to judicial custody. In the said Writ Petition, initially, notice before admission was issued and it was directed that the petitioner therein shall not be arrested, since she has to cast her vote in the MLC elections. Ultimately, the Writ Petition itself was disposed of, keeping in view her age and being a lady, by directing the Investigating Officer to continue the investigation without arresting the petitioner therein.

The present petitioner, who is accused No.4, appears to have filed an application seeking anticipatory bail before the trial Court and filed the present Writ Petition after dismissal of the said application. The said fact is not mentioned in the present Writ Petition. This Court was also not aware that there were four accused at the time of disposal of W.P.No.8945 of 2017 and disposed of the said Writ Petition on the ground

that the petitioner therein was a lady and all other accused surrendered before the Court.

In view of suppression of the fact of non-surrender of the petitioner and dismissal of the anticipatory bail application in the present Writ Petition, this Court is not inclined to exercise the extraordinary jurisdiction by entertaining the present Writ Petition.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

Date: 20.04.2017
Nsr

A. RAMALINGESWARA RAO, J

