

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.10231 of 2017

ORDER:

Heard the learned Counsel for the petitioner.

This Writ Petition is filed challenging registration of FIR No.2 of 2017 on 21.01.2017 pursuant to the complaint lodged by the fifth respondent, who is the wife of the petitioner.

Learned Counsel for the petitioner submits that, a reading of the complaint does not disclose any offence within the jurisdiction of Rajamahendravaram and in spite of the same, the complaint was registered by the third respondent.

This Court, in exercise of jurisdiction under Article 226 of the Constitution of India, cannot entertain the present Writ Petition since, admittedly, the fifth respondent is a resident of Rajamahendravaram and she can lodge the complaint from her residence.

In view of the above, the Writ Petition is disposed of directing the third respondent to follow due process of law while investigating the crime, including compliance with Section 41-A of the Code of Criminal Procedure. The miscellaneous petitions pending in this Writ Petition, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

22.03.2017
vs