

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.No.45141 of 2016

ORDER

This writ petition is filed seeking to quash the proceedings in Crime No.61 of 2015, registered by the 2nd respondent, against the petitioner, based on the statement made by the 3rd respondent while conducting inquest and harassing the petitioner that he would be implicated in the said crime.

This Court *vide* order dated 26.12.2016 directed the 2nd respondent not to arrest the petitioner pursuant to the said crime.

Based on the written instructions, learned Government Pleader for Home submits that after registration of the complaint, a memo was filed before the Court concerned on 5.3.2015 in connection with alteration of Section of Law from 174 Cr.P.C. to Section 306 read with 34 IPC; during the course of investigation, eight witnesses were examined and statements were recorded; investigation is pending for want of arrest of the petitioner, who was arrayed as A1; and after completion of investigation, appropriate action will be taken for filing the charge sheet.

Learned counsel appearing for the petitioner submits that the petitioner apprehends that he would be arrested without following due process of law.

In the circumstances, the 2nd respondent shall follow due process of law, more particularly Section 41-A of the Code of

Criminal Procedure, pursuant to registration of Cr.No.61 of 2015
and take necessary further action in accordance with law.

With the above observation, the Writ Petition is closed. No
costs.

Miscellaneous petitions, if any, pending shall stand closed.

JUSTICE A.RAMALINGESWARA RAO

30th January, 2017
rkk

