

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38677 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari by calling for the records relating to crime No.287 of 2016 on the file of the second respondent as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the complaint is lodged without any valid grounds and that the same is lodged only to harass the petitioner as there are disputes between the petitioner and the third respondent with regard to sale agreement, and as such, he prays this Court to quash the same.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings at the threshold. However, taking into consideration the fact that the case is arising out of a dispute in relation to the sale agreement between the petitioner and the third respondent, the second respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the second respondent and execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the likesum for his future appearance for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

10.11.2016
pln