

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37052 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus declaring the action of the third respondent in registering the F.I.R.No.77 of 2014 for the offences under Sections 420, 465, 467, 468 IPC on a private complaint filed by the second respondent, which was referred under Section 156(3) of the Code of Criminal Procedure, as arbitrary and illegal, and consequently to direct the third respondent not to arrest the petitioner in connection with the said crime.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner has not committed any offence and that a private complaint is lodged against the petitioner by the second respondent without therebeing any valid grounds. He further submits that the crime is registered in 2014 and as such, he prays this Court to direct the third respondent to complete investigation without arresting the petitioner.

Considering the facts and circumstances of the case, and also as the crime pertains to 2014, the third 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 third respondent as and when required 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

01.11.2016
pln