

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.35207 of 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari declaring the action of the fourth respondent in registering the crime No.306 of 2016, dated 02.10.2016, for the offences under Sections 420, 468 and 471 IPC, basing on the false complaint given by the fifth respondent, as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that there are civil disputes between the petitioner and the fifth respondent and as such, she has filed a false complaint without any valid grounds and at the instance of the fifth respondent, the said complaint is registered by the fourth respondent and as such, prays this Court to quash crime No.306 of 2016.

Considering the facts and circumstances of the case, this Court is not inclined to interfere with the investigation. However, taking into consideration the fact that there are civil disputes between the petitioner and the fifth respondent, the fourth respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is also directed to appear before the fourth respondent as and when required and if necessary, execute a bond for further appearance.

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

JUSTICE RAJA ELANGO

19.10.2016
pln