

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36148 of 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the third respondent in registering the crime No.345 of 2016 as illegal, arbitrary and violative of Articles 14, 19 and 21 of the Constitution of India and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the third respondent registered the crime against the petitioners herein on the basis of the false complaint given by the fourth respondent and as such, prays this Court to quash the crime No.345 of 2016 on the file of the third respondent.

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 business transaction, the third respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are also directed to appear before the third respondent as and when required.

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

JUSTICE RAJA ELANGO

26.10.2016
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