

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44421 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to call for the records in Crime No.502 of 2016 on the file of 3rd respondent and to quash the same as arbitrary and illegal.

The case of the petitioner is that on the complaint given by 4th respondent on 03.12.2016 alleging that the petitioner is threatening him through unknown persons to kill him, the 3rd respondent registered a case against the petitioner in Crime No.502 of 2016 for the offences punishable under Sections 120(B) and 506 IPC. Now, it is the grievance of the petitioner that he is implicated falsely due to the rivalry with the 3rd respondent and that he has not committed the offence as alleged in the complaint.

The learned Assistant Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 3rd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate for the investigation, but, however, he is apprehending arrest and harassment in the hands of 3rd respondent-police.

Considering the facts and circumstances of the case, the 3rd respondent is directed to complete the investigation in Crime No.502 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 3rd respondent-police and shall execute a personal bond for a sum of

Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance as and when required for the purpose of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

20.12.2016.
Tsr



