

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43588 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of mandamus to quash the proceedings in F.I.R.No.257 of 2016 on the file of the third respondent.

Heard and perused the material.

Learned counsel for the petitioner submits that the fourth respondent, with all false allegations, lodged a complaint against the petitioner and others and that a case is registered being F.I.R.No.257 of 2016 against the petitioner along with other accused for the offences under Sections 420, 272, 273, 109 read with Section 34 IPC. He further submits that on earlier occasion, this Court directed the petitioner herein to appear before the Investigating Officer concerned and in pursuance of the same, the petitioners appeared before the Investigating Officer and cooperated with the investigating agency. The same is also reiterated by the Assistant Government Pleader for Home.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioner at the threshold. However, taking into consideration the fact that the petitioner already appeared before the investigation agency, the third respondent is directed to complete the further 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 and 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.

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

JUSTICE RAJA ELANGO

29.12.2016
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