

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.37455 of 2016

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to declare the action of the 2nd respondent in registering the FIR No.890 of 2016 against the petitioners, as illegal and arbitrary, and consequently, quash the same.

Heard and perused the material available on record.

The allegations against the petitioners are that they are doing Borewell business in Tanzania country and they sold one Ashok Leyland Rig Mounted Borewell along with Compressor, which was registered in Tanzania to the 3rd respondent. Subsequently, the 3rd respondent came to know that the said vehicle was attached in a case in Tanzania and that the petitioners, without disclosing the same, sold the said vehicle to the 3rd respondent, and therefore, the above case is filed against the petitioners.

The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances, without going into the merits of the case, this Court is of the view that the investigation can be completed without arresting the petitioners.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law in either way, without arresting the petitioners. The

petitioners are also directed to appear before the investigating officer concerned, as and when required and cooperate with the investigation.

With the above directions, the Writ Petition is disposed of. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

RAJA ELANGO, J

November 02, 2016
KTL

