

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41812 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of mandamus declaring the action of the second respondent in registering crime No.174 of 2015 for the offences under Sections 406, 420 and 467 IPC as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case and that the petitioners have not committed any offence. He further submits that the petitioners have signed the document as witnesses only and that the said action does not attract any offence as alleged in the complaint. Hence, he prays this Court to quash the proceedings against the petitioners herein.

This Court is not inclined to quash the proceedings against the petitioners at the threshold. However, considering the facts and circumstances of the case and also as the case is arising out of a sale deed pertaining to 2015, the second respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are directed to appear before the second respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the likesum each for their 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

01.12.2016
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