

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39599 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to set aside F.I.R.No.478 of 2016 on the file of respondent No.2.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.3 filed a false complaint against him before respondent No.2 and the same was registered as the aforementioned case for the offences punishable under Sections 420 and 409 I.P.C.; that the complaint does not contain any incriminating material; that due to holidays, he could not deposit the amount in bank in time and subsequently, he deposited the same in bank; that he never did any criminal activities and respondent No.2 is trying to arrest him without following the due process of law.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.2 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondent No.2 is hereby directed to complete the investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner. The petitioner is directed to execute a personal bond for a sum of

Rs.5,000/- (Rupees five thousand only) with one surety for the like sum to the satisfaction of respondent No.2 towards surety for his future appearance as and when required for the purpose of investigation.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

17.11.2016
AMD

JUSTICE RAJA ELANGO



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Date: 17.11.2016

AMD