

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.33280 OF 2016

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed seeking to declare the action of respondent No.3 in repeatedly summoning the petitioner to the police station though no case has been registered against her and forcing her to compromise with the accused in F.I.R.No.295 of 2016 registered in the same police station on a complaint filed by her for the offences punishable under Sections 448, 354, 323, 384 and 506 I.P.C. and Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 as illegal and arbitrary and consequently, to direct the respondents to forthwith apprehend the said accused and further, not to summon her without there being any case registered against her.

2. Heard and perused the record.
3. The main grievance of the petitioner is that even after registration of the aforementioned F.I.R., respondent No.3 is not taking any steps to complete the investigation in that case and further, he is repeatedly calling her to the police station and making her to sit there for hours together and also compelling her to withdraw the aforementioned case.
4. Learned Assistant Government Pleader for Home submitted that respondent No.3 is proceeding with the investigation in the aforesaid case and he will complete the investigation as expeditiously as possible; that respondent No.3 never called the

petitioner to the police station and compelled her to withdraw the case with the accused in the said case.

5. Considering all the facts and circumstances of the case, this Court is of the view that the writ petition can be disposed of with the following direction:

Respondent No.3 herein is directed not to compel the petitioner herein to appear before the police station in the name of investigation. Further, he is directed to complete the investigation in F.I.R.No.295 of 2016 as expeditiously as possible and file a final report, if any, in accordance with law.

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

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

20.10.2016
AMD

JUSTICE RAJA ELANGO

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Date: 20.10.2016

AMD