

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38867 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of the 3rd respondent in calling the petitioner to the Police Station and threatening to arrest him in connection with F.I.R.No.138 of 2016, dated 03-07-2016 on the file of Tada Police Station, as being illegal and arbitrary and consequently direct the 3rd respondent not to harass or arrest the petitioner without following due process of law in connection with the above F.I.R.

2. Heard and perused the material available on record.
3. The learned counsel for petitioners submits that though there is no specific allegation against the petitioner in the complaint, the 3rd respondent is calling the petitioner to the police station and threatening to arrest the petitioner. The name of the petitioner is not at all there either in the complaint or F.I.R.
4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered and respondent No.3 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.3 is hereby directed to complete the investigation in

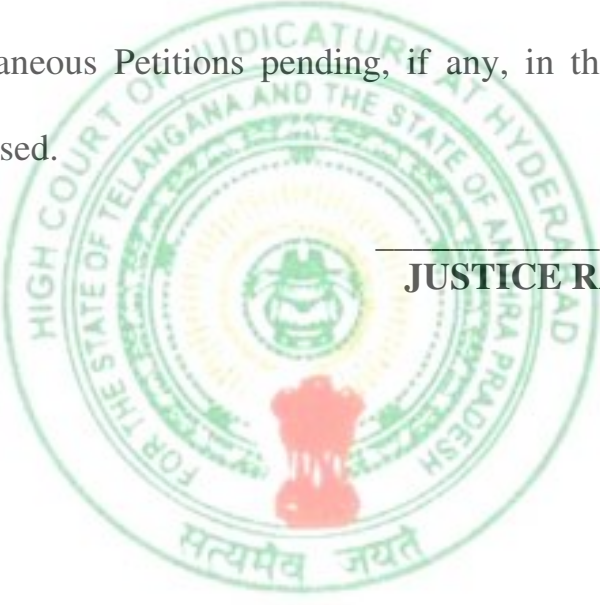
the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner. However, the petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one surety for a like sum to the satisfaction of the S.H.O. concerned for his future appearance as and when required by the investigating agency 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.

11.11.2016

skmr

JUSTICE RAJA ELANGO