

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.45485 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* declaring the action of respondents in mentioning the petitioner's name in the remand report of A7 as illegal and arbitrary and direct respondents 2 to 5 not to arrest and harass the petitioner and also remove the name of the petitioner from the case diary.

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Home and perused the material available on record.

Admittedly, the case was registered on the basis of the reference made by the learned Magistrate under Section 156(3) Cr.P.C. Admittedly, the procedures were not followed by the learned Magistrate in forwarding the complaint for registration of the same. Further more, the crime is of the year 2014.

Considering the facts and circumstances of the case, the police concerned are directed to complete the investigation without arresting the petitioner and file the final report in accordance with law. The petitioner is directed to appear before the Investigating Agency as and

when his presence is required, and cooperate with the Investigating Agency.

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

JUSTICE RAJA ELANGO

26th December, 2016

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