

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40794 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of certiorari to call for the records in crime No.188 of 2016 registered on the file of the fourth respondent for the offences under Sections 506 and 504 IPC and Section 25(1)(A) of the Arms Act and declare the same as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the complaint is lodged without any valid grounds and that the same is lodged only to harass the petitioner. He further submits that the petitioner has not committed any offence as alleged in the F.I.R. Hence, the learned counsel seeks to quash the case against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings at the threshold. However, taking into consideration the fact that the allegations are not so serious in nature and also as the offences are punishable less than seven years, the fourth respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the fourth respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his 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

24.11.2016
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