

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39765 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus to declare the action of 3rd respondent in trying to arrest the petitioner in connection with Crime No.113 of 2016 without following the due process of law as illegal and arbitrary.

The case of the petitioner is that on the complaint given by the 4th respondent, the 3rd respondent registered a case in Crime No.113 of 2016 for the offences punishable under Sections 341, 355, 427, 506 r/w 34 IPC against the petitioner and others. It is alleged that the 4th respondent due to personal grudge, implicated the petitioner herein on false allegations.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 3rd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate for the investigation, but, however, he is apprehending arrest and harassment in the hands of 3rd respondent-police.

Considering the facts and circumstances of the case, the 3rd respondent is directed to complete the investigation in Crime No.113 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 3rd respondent-police as and when required during the course of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

08.12.2016.
Tsr

RAJA ELANGO,J



