

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.38920 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 the 2nd Respondent in registering F.I.R. No.744 of 2016 under Sections 468, 506, 447 and 472 read with Section 34 I.P.C. as illegal and arbitrary.

The learned counsel for the petitioner submitted that the Respondent No.2 had wrongly implicated the petitioner in crime No.744 of 2016, dated 14-10-2016 on the complaint, dated 14-10-2016 by the respondent No.3. The respondent No.2 had not taken any action against the respondent No.3 when the petitioner lodged a complaint on 06-05-2016 itself. The respondent No.2 left the ear deaf on petitioner's complaint.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against the petitioner, this Court is not inclined to interfere with the proceedings against the petitioner. However, in view of the submission of the learned counsel for the petitioner and as it is a civil dispute, this Court directs the Police concerned to complete the investigation without arresting the petitioner and file the final report in accordance with law. The petitioner is directed to execute a personal bond for a sum of

Rs.10,000/- (Rupees Ten thousand only) with one surety for a like sum to the satisfaction of the Investigating Officer for his future appearance as and when required by the investigating agency for the purpose of investigation

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

Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

11th November, 2016

skmr

JUSTICE RAJA ELANGO

