

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.40018 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of the 4th respondent in registering the Crime No.66 of 2016, dated 09.11.2016 against the petitioner for the offences punishable under Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 and Sections 323 and 506 IPC, as illegal and arbitrary.

The case of the petitioner is that the 5th respondent, who is known to the petitioner, borrowed an amount of Rs.50,000/- on 01.09.2014 for his agricultural purpose and executed a promissory note on the same day itself in favour of the petitioner and that when the petitioner demanded the said amount, the 5th respondent was postponing the same and that the petitioner sent a legal notice on 08.10.2016 which was duly served to the 5th respondent. The main grievance of the petitioner is that the 5th respondent has lodged the present complaint against the petitioner alleging that on 08.11.2016, at about 8.00 p.m., when the 5th respondent was at school, the petitioner scolded him by touching his caste name and also beat him and the petitioner also beat the persons who came to rescue the 5th respondent and on the said complaint, the 4th respondent registered the same as Crime No.66 of 2016 and that the 5th respondent, with an intention to avoid the debt, foisted the false case against the petitioner.

Considering the grievance of the petitioner, the 4th respondent is directed to complete the investigation in Crime No.66 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. In case, if any charge sheet is filed and summons are received by the petitioner, he shall

appear before the Court concerned and execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety to the satisfaction of the concerned Court for his future appearance before the concerned Court.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 21st November, 2016

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