

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42010 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in Crime No.525 of 2016 on the file of the 3rd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offences under Sections 447 and 427 r/w 34 IPC. It is alleged that the petitioners along with some others occupied some part of the land of the 4th respondent and constructed a wall. The grievance of the petitioners is that they never occupied any part of the site belonged to the 4th respondent and they constructed a compound wall in order to protect their site within the boundaries.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, in view of the fact that the above offences alleged against the petitioners are bailable, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and they are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required.

5. With the above direction, the Writ Petition is disposed of. No costs.
Consequently, miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Date: 2nd December, 2016
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