

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43294 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus declaring the action of 2nd respondent in registering Crime No.225 of 2016 as against the petitioners as arbitrary and illegal and consequently, to set aside the same.

The case of the petitioners is that on the complaint given by 3rd respondent alleging unfair trade practice and cheating and criminal breach of trust by selling the goods identical to the goods manufactured by him, the 2nd respondent registered a case in Crime No.225 of 2016 for the offences punishable under Sections 420, 406 IPC and Section 63 of Copyright Act. It is the case of the petitioners that they are implicated falsely due to the business rivalry and that they have not committed the crime as alleged.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 3rd respondent, the 2nd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioners submits that the petitioners are ready to cooperate for the investigation, but, however, they are apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the facts and circumstances of the case, the 2nd respondent is directed to complete the investigation in Crime No.225 of 2016 without arresting the petitioners and file a final report, if any, in accordance with law. The petitioners are directed to appear before the

2nd 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.

RAJA ELANGO,J

14.12.2016.

Tsr



