

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39369 OF 2016

ORDER:

The writ petition is filed by the petitioner seeking a writ of Certiorari calling for records pertaining to F.I.R.No.215 of 2016 registered on the file of the second respondent for the offences under Sections 420, 324, 506 IPC and declare the same as illegal and arbitrary, and consequently, to quash the same.

Heard and perused the material.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present crime and that he has not committed any offence. He further submits that as a counter case to the case lodged by the petitioner herein, the third respondent has filed the present case with all false allegations. He prays this Court to quash the same.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioner. However, taking into consideration the fact that it is a case and counter case, and also as the petitioner and the third respondent are the contractors, the second respondent is directed to complete the investigation without arresting the petitioner and file final report, if any, in accordance with law. The petitioner is directed to appear before the second respondent and execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the likesum for his future appearance for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

15.11.2016
pln