

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42356 of 2016

ORDER:

The present writ petition is filed seeking to declare the action of the 2nd respondent in registering FIR No.1458 of 2014, basing on the false complaint of the 3rd respondent, as illegal and arbitrary, and consequently, set aside the same.

Heard and perused the material available on record.

The case in brief is that the 3rd respondent lodged a private complaint against the petitioner and A1, stating that A1 by name, Narender, is known to him and he induced him to join in a chit, run by A2 in the name and style of Sai Mandir Chits Private Limited, in which A1 is working, and took two cheques for an amount of Rs.2,01,000/- each and thereafter, they absconded and when he asked for return of the amount, they threatened him.

The grievance of the petitioner is that the de facto complainant is a stranger to him and he never met and never induced him to join in the chit, and even as per the contents of the complaint there are no specific allegations against him.

The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case and the grievance of the petitioner, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioner. The petitioner is also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum for his future appearance as and when required for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

December 06, 2016.
KTL

RAJA ELANGO, J

