

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36595 of 2016

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to declare the action of the 4th respondent in registering FIR No.47 of 2016 against the petitioners, as illegal and arbitrary and consequently, set aside the same.

Heard and perused the material available on record.

The allegation against the petitioners is that they forged the signatures of the Medical Officer for preparing/making medical certificates for obtaining sick leave.

The grievance of the petitioners is that they never forged the signature of the doctor, but in fact, since the Superintendent of the area hospital was not available, they obtained certificates from another doctor, but with an impression that the signatures are forged, the complaint was lodged against them and basing on the same, the police are trying to arrest them, and since they are working in the Corporation, if they are arrested, they will lose their jobs.

The learned Assistant Government Pleader submitted that on the basis of the complaint, a case was registered against the petitioners, and the respondents are investigating into the matter in accordance with law.

Considering the facts and circumstances of the case and the grievance of the petitioners, without expressing any opinion on merits, the 1st respondent is directed to complete the investigation in the above crime, and file a final report, in accordance with law in either way,

without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned as and when required and cooperate with the investigation.

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

RAJA ELANGO, J

October 28, 2016

KTL

