

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.36920 of 2016

ORDER

This writ petition is filed by the petitioner seeking to call for records relating to FIR No.168 of 2016 on the file of the 3rd respondent and to quash the same.

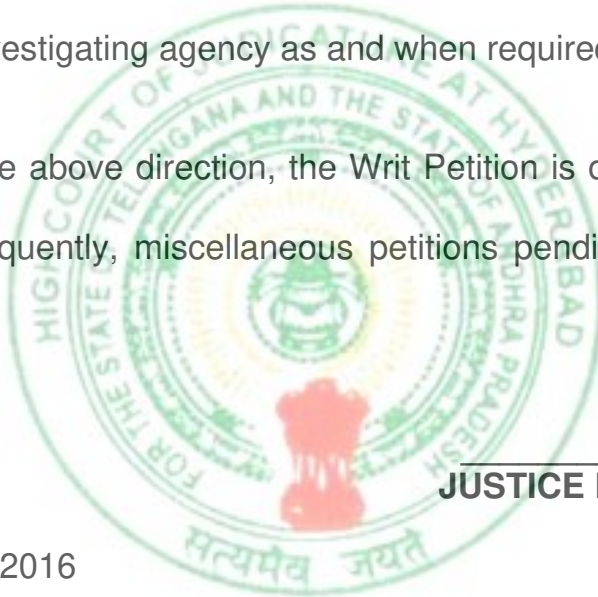
2. It is stated in the affidavit that the 4th respondent herein lodged a complaint alleging that he being the correspondent of the school, issued signed cheques to the petitioner to meant for payment of EMI for purchase of Mahindra bus and subsequently, the petitioner misused one of the cheques for a sum of Rs.33 lakhs and also stolen some blank cheques having his signatures, thereby cheated him. Based on the said complaint, the 3rd respondent registered a case in Cr.No.168 of 2016 for the offences punishable under Sections 417, 420, 406, 381 IPC against the petitioner. It is stated that since the petitioner filed a case against the 4th respondent for dishonour of cheque, the present case was foisted falsely against him and that the 3rd respondent is trying to arrest him without following due process of law.

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

4. The main grievance of petitioner is that the 3rd respondent did not conduct any enquiry and did not issue any notice to him and that he is trying to arrest him without following due process of law.

5. Considering the facts and circumstances of the case and in view of the grievance of petitioner, without expressing any opinion on merits, respondents Nos.1 to 3 are directed to complete the investigation in Crime No.168 of 2016 of Mancheri Police Station, Adilabad District, and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the investigating agency as and when required.

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



JUSTICE RAJA ELANGO

31st October, 2016

sj



