

HON'BLE SRI JUSTICE RAJA ELANGO

Writ Petition No.44961 of 2016

ORDER :

The Writ Petition is filed under Article 226 of the Constitution of India seeking to issue a writ or order, more particularly one in the nature of writ of *Mandamus* declaring the action of the 3rd respondent in registering the case in crime No.70 of 2016 for the alleged offence under Section 420 read with Section 34 I.P.C. against the petitioner and another as illegal and arbitrary and consequently direct respondents to drop further proceedings against the petitioner as the allegations do not attract the ingredients of the alleged offences under Section 420 read with Section 34 I.P.C.

Heard and perused the material available on record.

Having regard to the facts and circumstances of the case and also in view of the nature of offences alleged against petitioners are serious in nature, which have to be investigated into by the investigating agency, this Court is not inclined to interfere with the proceedings initiated against the petitioners.

However, the learned counsel for petitioners submits that petitioners are ladies and the 1st petitioner, being wife of the main accused, and 2nd and 3rd petitioners, being daughters of the 1st petitioner, they are also included as accused. He further submits that petitioners are ready to cooperate with the investigation.

Therefore, this Court directs the Police concerned to complete the investigation without arresting the petitioners and file the final report in accordance with law. The petitioners are directed to appear before the Investigation Officer as and when required by the investigating agency for the purpose of investigation.

Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in the Writ Petition shall stand closed.

22nd December, 2016

skmr

JUSTICE RAJA ELANGO

