

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43356 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to call for the records in F.I.R.No.103 of 2016 on the file of 3rd respondent and to quash the same as against the petitioners herein.

On the private complaint given by 4th respondent and on reference by the Magistrate under Section 156(3) Cr.P.C., the 3rd respondent herein registered a case in F.I.R.No.103 of 2016 against the petitioners for the offences punishable under Sections 147, 447, 464, 467, 323, 506 r/w 34 IPC. The grievance of the petitioners is that all the allegations levelled by the 4th respondent are false and the 3rd respondent without ascertaining the same, registered the F.I.R. and proceeding with the investigation.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 3rd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioners submits that the petitioners are ready to cooperate with the investigation, but, however, they are apprehending arrest and harassment in the hands of 3rd respondent-police.

Considering the facts and circumstances of the case, the 3rd respondent is directed to complete the investigation in F.I.R. No.103 of 2016 without arresting the petitioners and file a final report, if any, in accordance with law. The petitioners are directed to appear before the

3rd respondent-police as and when required during the course of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

14.12.2016.

Tsr



