

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46586 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari calling for the records relating to F.I.R.No.149 of 2016 on the file of 3rd respondent and to quash the same against the petitioner as arbitrary and illegal.

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.149 of 2016 against the petitioner and others for the offences punishable under Sections 182, 193, 420, 468, 461, 506 r/w 34 IPC. The grievance of the petitioner 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 Assistant 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 petitioner submits that the petitioner is ready to cooperate with the investigation, but, however, he is 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.149 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 3rd respondent-police and shall execute a personal bond for a sum of

Rs.5,000/- (Rupees five thousand only) with one surety for the likesum for his future appearance for the purpose of investigation.

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

Pending Miscellaneous Petitions, if any, shall stand closed.

30.12.2016.
Tsr

RAJA ELANGO,J



