

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42067 of 2016

ORDER:

1. This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to quash the proceedings against them in Crime No.711 of 2016 on the file of the 5th respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 420, 506 IPC and Section 3 (1)(r) of SCs & STs (POA) Act. It is alleged that the 6th respondent obtained hand loan amount of Rs.85,60,000/- from the 1st petitioner by creating mortgage over his property. But the 6th respondent came to know that by making false representation, instead of getting mortgage deed, the 1st petitioner got Agreement of sale-cum-GPA registered in his favour, and when the 6th respondent asked about his illegal acts, the 1st petitioner and others abused him in the name of his caste and threatened him. It is the grievance of the petitioners that the 6th respondent alienated his property in favour of the 1st petitioner.
4. The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, as the present complaint has arisen out of civil disputes, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioners. The petitioners are directed to appear before the Station House Officer concerned as and when required and the petitioners are also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety each for the like sum each to

the satisfaction of the Station House Officer concerned, as surety for their future appearance as and when required.

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

RAJA ELANGO, J

Date: 2nd December, 2016
Nn



HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42067 of 2016



Date: 2nd December, 2016

Nn