

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.46184 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in FIR No.114 of 2016 on the file of the 3rd respondent.
2. Heard and perused the material available on record.
3. The above crime was registered for the offence under Sections 468, 471 and 420 IPC alleging that the petitioner created fake pattadar pass books. It is the case of the petitioner that he was involved in ACB case on similar set of facts and the registration of the present crime amounts to double jeopardy.
4. Considering the facts and circumstances of the case and the nature of the offence, this Court is of the view that in this case, necessarily the investigating officer has to obtain the signatures and hand writings of the petitioner. Therefore, this Court is inclined to pass the following order:

“The petitioner is directed to surrender before the Investigating Officer concerned on or before 30th January, 2017 and on such surrender, the investigating officer concerned is directed to take him into custody and obtain his signatures and handwritings for the purpose of investigation and release him on bail on the same day on his executing a personal bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with one surety for the like sum to the satisfaction of the investigating officer concerned. The petitioner is also directed to appear before the investigating officer concerned 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: 29th December, 2016
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