

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44673 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 Crime No.216 of 2016 on the file of 1st respondent and to quash the same as arbitrary and illegal.

The case of the petitioners is that on the complaint given by 4th respondent, the 1st respondent registered a case against the petitioners in Crime No.216 of 2016 for the offences punishable under Sections 323, 324, 509, 506 r/w 34 IPC and Section 3(1)(r)(s) & 3(2)(va) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. Now, it is the grievance of the petitioners that they are implicated falsely due to civil disputes with the 4th respondent and that they have not committed the offence as alleged in the complaint.

The learned Assistant Government Pleader for Home submitted that since a complaint is lodged by the 4th respondent, the 1st 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 for the investigation, but, however, they are apprehending arrest and harassment in the hands of 1st respondent-police.

Considering the facts and circumstances of the case and in view of the fact that civil dispute is pending between the petitioners and 4th respondent, the 1st respondent is directed to complete the investigation in Crime No.216 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 1st respondent-police and each of them shall execute a personal bond for a sum of Rs.10,000/- (Rupees ten thousand only) with one surety for the likesum for their future appearance for the purpose of investigation.

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

Pending Miscellaneous Petitions, if any, shall stand closed.

21.12.2016.
Tsr

RAJA ELANGO,J



