

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.44771 of 2016

ORDER:

This writ petition is filed seeking a direction to the 4th respondent not to interfere with the civil disputes of the petitioner and not to detain him in the police station on the ground of money settlement without there being registration of any crime.

Heard and perused the material available on record.

The grievance of the petitioner is that without there being any complaint, the 4th respondent is taking the petitioner to the police station and confining him for money settlement.

Learned counsel appearing for the de facto complainant in Crime No.398 of 2016 submitted that on the complaint lodged by the complainant, the 4th respondent registered a case against the petitioner herein in Crime No.398 of 2016 for the offences punishable under Sections 406 and 420 IPC and the case is under investigation.

At this stage, the learned counsel for the petitioner prayed this Court to direct the 4th respondent to follow the procedure by issuing notice contemplated under Section 41-A of Cr.P.C.

Considering the facts and circumstances of the case, the 4th respondent is directed to follow the procedure contemplated under Section 41-A of Cr.P.C. and proceed with the investigation into the crime and file the charge sheet in accordance with law.

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

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO, J

21.12.2016

Tsr

