

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41962 OF 2016

ORDER:

The writ petition is filed by the petitioners seeking a writ of certiorari calling for the records pertaining to F.I.R No.104 of 2016 registered for the offences under Sections 506, 509, 323 read with 34 IPC and Section 3(1)(g)(r)(s)W(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015, and declare the same as illegal and arbitrary, and consequently to quash the same.

Heard and perused the material.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present crime and that they have not committed any of the offences as alleged against them. He further submits that the complaint does not disclose any specific allegations against specific persons and there are only omnibus allegations against all the petitioners, and as such, he prays this Court to quash the same.

Considering the facts and circumstances of the case, this Court is not inclined to quash the proceedings against the petitioners at the threshold. However, taking into consideration the fact that there are only omnibus allegations against all the petitioners, the second respondent is directed to complete the investigation without arresting the petitioners and file final report, if any, in accordance with law. The petitioners are directed to appear before the second respondent and execute a personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the likesum each for their future appearance as and when required for the purpose of investigation.

The writ petition is accordingly disposed of. Consequently, miscellaneous petitions, if any shall also stand disposed of.

JUSTICE RAJA ELANGO

02.12.2016
pln