

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.34142 OF 2016

ORDER:

This writ petition is filed seeking to issue a writ or order more particularly, one in the nature of writ of *mandamus* to quash the complaint filed by respondent No.4 against the petitioner, which was registered as F.I.R.No.70 of 2016 on 27.9.2016 on the file of respondent No.3, by declaring the same as illegal and arbitrary.

2. Heard and perused the material available on record.

3. Case of the petitioner is that respondent No.4 filed a complaint against him before respondent No.3 and the same was registered as F.I.R.No.70 of 2016 for the offences punishable under Sections 323 and 506 I.P.C. and Sections 3(1)(r)(s) and 3(2)(Va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act as amended Act No.1 of 2016; that the complaint does not contain any incriminating material; that he never did any criminal activities and respondent No.3 is trying to arrest him without following the due process of law.

4. Learned Assistant Government Pleader for Home submitted that on the basis of the said complaint, a case was registered against the petitioner and respondent No.3 is investigating the matter in accordance with law.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, without expressing any opinion on merits, respondent No.3 is hereby directed to complete the

investigation in the aforementioned crime and file a final report, in accordance with law in either way, without arresting the petitioner.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

20.10.2016
AMD



THE HONOURABLE SRI JUSTICE RAJA ELANGO



WRIT PETITION No.34142 OF 2016

Date: 20.10.2016

AMD