

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38511 OF 2016

ORDER:

The present writ petition is filed by the petitioners seeking to declare the action of the 2<sup>nd</sup> respondent in registering FIR No.763 of 2014 as illegal and arbitrary.

Heard and perused the material available on record.

The 3<sup>rd</sup> respondent lodged a complaint before the 2<sup>nd</sup> respondent stating that on verification of salary and wages register maintained by the 1<sup>st</sup> petitioner, it was found that the 1<sup>st</sup> petitioner failed to pay the statutory deductions made from the salaries of the employees for the period from October 2013 to 2014 amounting to Rs.5,15,987/-.

The grievance of the petitioners is that they came to know about pendency of the case only on 1.08.2016 and that even prior to lodging of complaint, they have deposited the entire amount as directed by the 3<sup>rd</sup> respondent and that basing on the above complaint, the 2<sup>nd</sup> respondent is trying to arrest the petitioners.

The petitioners filed this writ petition challenging investigation in the above crime. Even though this Court is not inclined to interfere with the investigation, considering the facts and circumstances of the case, without going into the merits of the case, the 2<sup>nd</sup> respondent is directed to complete the investigation in the above crime and file a final report, in accordance with law in either way, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned, and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety for the like sum each, for

their appearance before the investigating agency as and when required, for the purpose of investigation.

With the above directions, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

November 09, 2016  
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RAJA ELANGO, J



