

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38586 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus declaring the action of 2nd respondent in registering F.I.R. No.61 of 2016 against the petitioner as arbitrary and illegal.

The case of the petitioner is that on the complaint given by 3rd respondent, the 2nd respondent registered a case in Crime No.61 of 2016 for the offences punishable under Sections 468, 471, 420 IPC. It is the case of the petitioner that he is implicated falsely due to ill-feelings between the petitioner and 3rd respondent.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 3rd respondent, the 2nd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate with the investigation, but, however, he is apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the facts and circumstances of the case, the 2nd respondent is directed to complete the investigation in Crime No.61 of 2016 without arresting the petitioner and file a final report, if any, in accordance with law. The petitioner is directed to appear before the 2nd respondent-police as and when required during the course of investigation.

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

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

08.12.2016.
Tsr



