

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43626 of 2016

ORDER:

This writ petition is filed by the petitioners under Article 226 of the Constitution of India seeking to declare the action of the 2nd respondent in registering crime in FIR No.205 of 2016 against the petitioners for the offence under Sections 354, 307, 452, 509 read with 34 IPC and Section 156(3) Cr.P.C. and to quash the same.

Heard and perused the material available on record.

The 3rd respondent lodged the present complaint against the petitioners alleging that on 15.08.2016 at about 10.30 a.m., the petitioners came to the house of the 3rd respondent and abused the 3rd respondent and her family members in filthy language and beat her and threatened her by saying that the petitioners would see her end, if she do not vacate the house and go away. The main grievance of the petitioners is that the 2nd respondent has failed to consider that there is a civil dispute pending between the petitioners and the 3rd respondent and that the offences under Sections 452 & 509 IPC are not attracted.

Considering the grievance of the petitioners, the 2nd respondent is directed to complete the investigation in FIR No.205 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioners. The petitioners are directed to execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety each to the satisfaction of the 2nd respondent as surety for their future appearance for the purpose of investigation.

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

RAJA ELANGO, J

Date: 15th December, 2016

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