

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39828 of 2016

ORDER:

1. This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to quash the proceedings against him in FIR No.177 of 2016 on the file of the 3<sup>rd</sup> respondent.
2. Heard and perused the material available on record.
3. It is alleged that the petitioner along with others trespassed into the godown of the 4<sup>th</sup> respondent, broke the shutter lock and committed theft of sanitary items, whereas it is the case of the petitioner that he is in lawful possession of the subject shop by virtue of rental agreement from Wakf Board and when the 4<sup>th</sup> respondent tried to interfere with his possession, he filed a civil suit and he succeeded in the suit. Having failed to succeed in his attempts, the 4<sup>th</sup> respondent lodged the present complaint with false allegations.
4. The petitioner filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation in the above crime. However, considering the grievance of the petitioner, without expressing any opinion on merits, the official respondents are directed to complete the investigation and file a final report, in accordance with law, without arresting the petitioner. The petitioner is directed to appear before the Station House Officer concerned as and when required and he is also directed to execute a personal bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with one surety for the like sum to the satisfaction of the Station House Officer concerned, as surety for his future appearance as and when required.

5. 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: 18<sup>th</sup> November, 2016

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HONOURABLE SRI JUSTICE RAJA ELANGO



Date: 18<sup>th</sup> November, 2016

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