

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43654 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 4th respondent in registering the FIR against the petitioner in Crime No.343 of 2016, as illegal and arbitrary.

Heard and perused the material available on record.

Respondents 5 & 6 lodged the present complaint against the petitioner alleging that during the month of June, 2014, the 5th respondent got acquittance with the petitioner, who told that he is working as CEO of Infinity Data Center (India) Private Limited and offered to invest in the same company on the pretext that the company will be getting more profits in future. On that, respondents 5 & 6 invested a total amount of Rs.43,00,000/- and as there is no proper reply from the petitioner regarding repayment of money, on 18.10.2016, when respondents 5 & 6 went to the house of the petitioner, he and his followers threatened respondents 5 & 6 with dire consequences. The main grievance of the petitioner is that respondents 3 & 4 are interfering with the civil disputes pending between the petitioner and respondents 5 & 6 and that the petitioner is falsely implicated in the above said crime and that respondents 4 & 5 are trying to arrest the petitioner without following due procedure under Section 41 Cr.P.C. and that continuation of criminal proceedings against the petitioner is nothing but abuse of process of law.

Considering the grievance of the petitioner, the 4th respondent is directed to complete the investigation in Crime

No.343 of 2016 as expeditiously as possible and file a final report, if any, either way in accordance with law, without arresting the petitioner. The petitioner is directed to execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) with one surety each to the satisfaction of the 4th respondent as surety for his 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

KL

