

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.38533 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.47 of 2016, and consequently, set aside the same.

Heard and perused the material available on record.

A complaint was lodged against the petitioner by the de facto complainant stating that there are civil disputes between the de facto complainant and the petitioner and at the instigation of the petitioner, the uncle of the petitioner along with another person, entered into the land of the de facto complainant and damaged the red gram crop.

Learned counsel for the petitioner submitted that there are no specific allegations against the petitioner in the complaint, and with a view to harass the petitioner the present complaint is foisted and that the petitioner is apprehending arrest due to pendency of the case.

The petitioner 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 petitioner. The petitioner is 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, for his 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



