

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.42331 of 2016

ORDER:

The present writ petition is filed seeking to declare registration of Crime No.446 of 2016 against the petitioners by the 2nd respondent for the offences under Sections 419, 420 and 468 IPC, as illegal and arbitrary.

Heard and perused the material available on record.

The case in brief is that the 3rd respondent lodged a complaint against the petitioners and others alleging that she is a member of M/s.Creative Executive Society, Kurnool, along with the petitioners and others, and that the petitioners, without her knowledge and without obtaining her signatures, renewed the registration of the society, by forging the documents.

The grievance of the petitioners is that the brother of the 1st petitioner, who is Vice President of Pharmacy College, lodged a private complaint against the 3rd respondent and her husband, alleging that they missed three signed blank cheques and tried to encash the said cheques for an amount of Rs.2.00 crores, and the same was registered as Crime No.92 of 2015 and as a counter blast to the same, the present case is filed with false allegations.

The petitioners filed this writ petition challenging the investigation in the above crime. This Court is not inclined to interfere with the investigation. However, taking into consideration the facts and circumstances of the case and the case and counter cases, this Court is of the view that the investigation can be completed without arresting the petitioner.

Accordingly, the 2nd respondent is directed to complete the investigation and file a final report in the above Crime, in accordance with law, without arresting the petitioners. The petitioners are also directed to appear before the investigating officer concerned and execute personal bond for a sum of Rs.5,000/- (Rupees five thousand only) each with one surety for the like sum each for their future appearance as and when required for the purpose of investigation.

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

December 06, 2016.
KTL

RAJA ELANGO, J

