

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.41871 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of mandamus to declare the action of 2nd respondent in registering the F.I.R.No.44 of 2016 basing on the false complaint given by 3rd respondent as illegal and arbitrary and consequently, to set aside the same.

The case of the petitioner is that on the complaint given by 3rd respondent alleging that the petitioner and her husband collected huge money from the 3rd respondent on the pretext of providing job in railway department, the 2nd respondent registered a case in Crime No.44 of 2016 on 27.5.2016 for the offences punishable under Sections 420, 465, 468, 323 and 506 IPC. It is the case of the petitioner that she is implicated falsely and without verifying the genuineness of the complaint, the 2nd respondent is proceeding with the investigation.

The learned Additional Government Pleader for Home submitted that since a complaint is lodged by the 3rd respondent, the 2nd respondent registered the present F.I.R. in accordance with law.

Now, the learned counsel for the petitioner submits that the petitioner is ready to cooperate for the investigation, but, however, she is apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the fact that the petitioner is a lady and the main accused was already arrested and released on bail, the 2nd respondent is directed to complete the investigation in Crime No.44 of 2016 without arresting the petitioner and file a final report, if any, in accordance with

law. The petitioner is directed to appear before the 2nd respondent-police as and when required during the course of investigation.

Accordingly, the writ petition is disposed of. No costs.

Pending Miscellaneous Petitions, if any, shall stand closed.

01.12.2016.
Tsr

RAJA ELANGO,J



