

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.43196 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking a writ of certiorari to call for the records relating to F.I.R.No.81 of 2016 on the file of 2nd respondent and to quash the same as arbitrary and illegal.

The case of the petitioner is that on the complaint lodged by the 3rd respondent, the 2nd respondent registered a case in F.I.R. No.81 of 2016 for the offences punishable under Sections 324, 506 r/w 34 IPC and Section 3(1)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. It is alleged that the 2nd respondent without causing any enquiry, based on the false complaint is trying to arrest the petitioner.

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, he is apprehending arrest and harassment in the hands of 2nd respondent-police.

Considering the facts and circumstances of the case and since there is inordinate delay in lodging the complaint, the 2nd respondent is directed to complete the investigation in Crime No.81 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 for the purpose of investigation.

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

Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

14.12.2016.
Tsr



